

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-14529-2019

Date of Decision:19.05.2023

Satish Kumar

.....Petitioner

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Bal, Advocate for
the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Sandeep Berwal, Advocate for
Mr. Saurabh Arora, Advocate for
respondent No.2

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.97 dated 02.03.2018 registered under Sections 420, 467, 468, 471 of the IPC registered at Police Station Civil Lines, District Police Commissionerate Amritsar and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 07.03.2019 (Annexure P-2).

This Court vide order dated 29.03.2019 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before Learned Chief Judicial Magistrate and got their statements recorded.

On the basis of the statements so recorded, Learned Magistrate has

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submitted report dated 17.07.2019 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned counsel for respondent No.2-complainant submits that as per compromise entire payment has since been made.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.97 dated 02.03.2018 registered under Sections 420, 467, 468, 471 of the IPC registered at Police Station Civil Lines, District Police Commissionerate Amritsar and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 07.03.2019 (Annexure P-2), are quashed qua the petitioner.

May 19, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No