

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.20029 of 2021 (O&M)

Date of decision: 2nd March, 2023

Upendar Singh Madan

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for respondent No.1/State.

Mr. Nitin Sachdeva, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.195 dated 07.07.2020 (Annexure P-1) under Section 420 IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 registered at Police Station Sadar, Amritsar City along with all consequential proceedings arising therefrom on the basis of amicable settled arrived at between the parties.

Vide order dated 09.02.2023 of this Court, the parties were directed to appear before the learned trial Court to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Addl. Chief Judicial Magistrate, Amritsar in pursuance of the direction of this Court, wherein, the factum of the compromise arrived at between the

parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she would have no objection if the FIR qua the accused-petitioner is quashed.

The trial Court has annexed a copy of the statements of the parties, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Addl. Chief Judicial Magistrate, Amritsar and the principles laid down by the Apex Court in **‘Gian Singh Vs. State of Punjab and others’ (2012) 10 SCC 303**, and also by the Full Bench of this Court in **‘Kulwinder Singh and others v. State of Punjab and another’ 2007 (3) RCR (Criminal) 1052**, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say, the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

CRM No.1699 of 2023

The applicant/respondent No.2 is seeking direction to the trial Court to release the amount of ₹ 3,50,000/- deposited by the petitioner in compliance of the order dated 02.07.2021.

Since the matter stands amicably settled between the parties, the complainant would be at liberty to withdraw the amount of ₹ 3,50,000/- which had been deposited in the Court of learned Addl. Chief Judicial Magistrate, Amritsar by the petitioner.

The application stands disposed of accordingly.

(MANJARI NEHRU KAUL)
JUDGE

March 2, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No