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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-21327-2023

Date of decision: 17.10.2023

Simranjit Singh Mathouda@ Simranjeet Singh and others
VS

...Petitioners

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Simranjit Singh Sarwara, Advocate,
For the petitioners.

Mr. Anup Singh, AAG, Punjab.

Mr. Kulwinder Singh, Advocate,
for respondent No.2.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of FIR No.240 dated 31.07.2018 (Annexure P-1) registered under Sections 420, 467, 468, 471 and 120-B IPC at Police Station, City Rajpura, District Patiala, and all consequential proceedings arising there from, on the basis of compromise dated 22.11.2022 (Annexure P-2), stated to have been arrived at between the parties. Although the FIR in question had been registered against eight persons, but only three persons (petitioners herein) have approached this Court.

2. Since quashing was sought on the basis of compromise, this Court on 26.07.2023 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 28.08.2023 of learned Sub Divisional Judicial Magistrate, Rajpura, had been received. Report reveals that statement of complainant party i.e. respondent No.2 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.
5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled “*Ramgopal and anr. V. The State of Madhya Pradesh*”¹ and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”² .
6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.
7. Petition is thus allowed. FIR No. 240 dated 31.07.2018 (Annexure P-1) registered under Sections 420, 467, 468, 471 and 120-B IPC at Police Station, City Rajpura, District Patiala and all proceedings emanating there from *qua* the petitioners stand quashed.
8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

17.10.2023
poonam

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

¹Criminal Appeal No.1489 of 2012
²2007 (3) RCR (Criminal) 1052