

252-a IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:053708
CRM-M-20194-2019
Date of Decision: April 18, 2023

Amit Batra and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Shobit Phutela and Mr. Hunarveer Sharma, Advocates
for Mr. Sanjay Vij, Advocate for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. Tanvir Singh Grewal, Advocate for respondent No.2.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0282 dated 08.11.2018, under Sections 420, 406 and 120-B of IPC, registered at Police Station Sohana, District SAS Nagar (Mohali) qua the petitioners on the basis of compromise dated 23.04.2019 (Annexure P-3).

This Court vide order dated 06.05.2019 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties had appeared before learned Judicial Magistrate 1st Class, Mohali and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.07.2019 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2, namely, Daljit Singh had made his statement with regard to compromise before learned Magistrate on 22.05.2019.

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 complaint 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 FIR No.0282 dated 08.11.2018, under Sections 420, 406 and 120-B of IPC, registered at Police Station Sohana, District SAS Nagar (Mohali) qua the petitioners on the basis of compromise dated 23.04.2019 (Annexure P-3), are hereby quashed.

April 18, 2023

sarita

**(DEEPAK GUPTA)
JUDGE**

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No