

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.241

Case No. : CRM-M-21511-2019

Date of Decision : January 19, 2023

Mamta Beri @ Mamta Devi and others Petitioners

vs.

State of Punjab and another Respondents

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

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Present : Mr. L. S. Lakhanpal, Advocate
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. G. S. Randhawa, Advocate
for respondent no.2.

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GURBIR SINGH, J. :

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.30 dated 29.01.2013, under Sections 406/420 IPC, registered at Police Station Navi Baradari, District Jalandhar (Annexure P-1) and judgment dated 15.03.2018, passed by learned Judicial Magistrate Ist Class, Jalandhar (Annexure P-2), vide which the petitioners were convicted for a period of two years and also to pay fine of Rs.1,000/- each and in default of payment of fine, to further undergo RI for 15 days, along with all consequential proceedings arising therefrom, on the basis of compromise dated 09.04.2019 executed between the parties (Annexure P-4).

Learned counsel for the parties state that the FIR in question may be quashed as the parties have amicably settled the dispute.

Vide order dated 19.02.2020 passed by a Co-ordinate Bench of this Court, parties were directed to appear before the Trial Court for recording their statements with regard to compromise.

In compliance thereof, report from the learned Judicial Magistrate Ist Class, Jalandhar has been received through learned District and Sessions Judge, Jalandhar, wherein it has been stated that the compromise is genuine, voluntarily and without any coercion and undue influence from any quarter.

The appeal against conviction is pending before the Court of learned Sessions Judge, Jalandhar. In case Sube Singh and another vs. State of Haryana and another reported as 2013 (4) RCR (Criminal) 102, it is held that the High Court has power to quash the criminal proceedings at any stage to secure the ends of justice.

In the instant case, the petitioners were convicted by learned Judicial Magistrate Ist Class, Jalandhar and the appeal against conviction is still pending before the Court of learned Sessions Judge, Jalandhar.

As per the report received from learned Judicial Magistrate Ist Class, Jalandhar, through District and Sessions Judge, Jalandhar, the compromise has been executed voluntarily and without any coercion or pressure.

Accordingly, the petition is allowed and impugned FIR No.30 dated 29.01.2013, under Sections 406/420 IPC, registered at Police Station Navi Baradari, District Jalandhar (Annexure P-1) is quashed along with all consequential proceedings arising therefrom, qua the petitioners only.

January 19, 2023

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**(GURBIR SINGH)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>