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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-23246 of 2023****Date of decision: 27.07.2023**

Suresh Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rishu Bajaj, Advocate,
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Ms. Srishti Sharma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J.

1. The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.139 dated 10.12.2016 registered under Sections 380 and 120-B of the Indian Penal Code, 1860 at Police Station Dehlon, District Ludhiana and all consequential proceedings arising therefrom on the basis of compromise arrived between the parties.

2. Vide order dated 09.05.2023 of this Court, the parties were directed to move an application before the learned trial Court/Illaq Magistrate concerned to get their statements recorded regarding the compromise arrived at, between them.

3. Report dated 01.06.2023 has since been received from the learned Chief Judicial Magistrate, Fatehgarh Sahib in pursuance of the direction of this Court. 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. The trial Court has annexed the of the statements of the parties in original alongwith its report.

4. Learned State counsel also submits that there are no other accused other than the petitioner.

4. In view of the report of the learned Chief Judicial Magistrate, Fatehgarh Sahib 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 Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid protest petition, summoning order, FIR and all consequential proceedings arising out of the same, are quashed qua the petitioner.

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

27.07.2023

Satyawan

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No