

S. No.295

2023:PHHC:152375

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

CRM-M-28155 of 2023 (O&M)

Date of Decision:30.11.2023

Sachin Kumar

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rohan Garg, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Jaiveer Singh, Advocate for respondent No.2-
complainant.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.340 dated 13.12.2021 registered at Police Station City Kapurthala, District Kapurthala under Sections 420, 406, & 506 IPC along with all subsequent proceedings arising therefrom, on the basis of compromise dated 21.03.2023 (Annexure P.2).

This Court vide order dated 31.05.2023/19.09.2023 had directed the parties to appear before the trial Court/Area Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Kapurthala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.11.2023 to the effect that the compromise

has been effected between the parties voluntarily and without any coercion or undue influence.

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 F.I.R.

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 F.I.R. No.340 dated 13.12.2021 registered at Police Station City Kapurthala, District Kapurthala under Sections 420, 406, & 506 IPC along with all subsequent proceedings arising therefrom, on the basis of compromise dated 21.03.2023 (Annexure P.2), are quashed qua the petitioner.

November 30, 2023

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Whether Speaking/reasoned

Whether Reportable

(DEEPAK GUPTA)

JUDGE

Yes/No

Yes/No