

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

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CRM-M-32851 of 2022

Date of Decision: 01.02.2023

Rajiv Kumar and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rajiv Joshi, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Ms. Akanksha, Advocate for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.281 dated 27.10.2019 registered under Section 420 of the IPC registered at Police Station Phagwara, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 15.12.2019 as (Annexure P-2).

This Court vide order dated 28.07.2022 had directed the parties to appear before the trial Court 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 Sub Divisional Judicial Magistrate, Phagwara and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 26.09.2022 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.281 dated 27.10.2019 registered under Section 420 of the IPC registered at Police Station Phagwara, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 15.12.2019 as (Annexure P-2), are quashed.

February 01, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No