

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
268 CRM-M-38672-2021
Date of Decision:02.08.2023**

Pawan Kumar ...Petitioner
Versus
State of Haryana and another ... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sukhdeep Singh, Advocate for
Mr. Parminder Singh, Advocate for the petitioner.
Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.
Ms. Kamlesh, Advocate for respondent No. 2.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 83 dated 25.08.2020 under Sections 406 and 420 IPC, Section 24 of Immigration Act 1983 and Section 12 of Passport Act, 1967 registered at Police Station Kishna Gate, Thanesar District Kurukshetra and all consequential proceedings arising therefrom on the basis of compromise dated 21.01.2021 arrived between the parties.

2. Vide order dated 17.09.2021, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 21.01.2021.

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class Kurukshetra and got their statements recorded. Report dated 29.09.2021 has been received

whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

6. Resultantly, FIR No. 83 dated 25.08.2020 under Sections 406 and 420 IPC, Section 24 of Immigration Act 1983 and Section 12 of Passport Act, 1967 registered at Police Station Kishna Gate, Thanesar District Kurukshetra alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

02.08.2023

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No