

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

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CRM-M-35943 of 2022

Date of Decision: 23.01.2023

Amarjit Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sanjeet Kumar Bawa, Advocate
for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

Mr. Mukesh Kumar Bhatnagar, Advocate
for respondents No.2 &3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.34 dated 24.02.2022 registered under Sections 406 & 420 of the Indian Penal Code, 1860 and under Section 13 of Punjab Travel Professional (Regulations) Act 2014 registered at Police Station Division No.2, District Jalandhar and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 11.07.2022 and 14.07.2022 as (Annexure P-2 and Annexure P-3) respectively.

This Court vide order dated 16.08.2022 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 Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.10.2022 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 Nos.2 & 3 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.34 dated 24.02.2022 registered under Sections 406 & 420 of the Indian Penal Code, 1860 and under Section 13 of Punjab Travel Professional (Regulations) Act 2014 registered at Police Station Division No.2, District Jalandhar and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 11.07.2022 and 14.07.2022 as (Annexure P-2 and Annexure P-3) respectively, are quashed.

January 23, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No