

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-40427-2021 (O&M)

Date of decision: 05.10.2023

Jarnail Singh Bajwa

...Petitioner

VS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Ms. Dhivya Jerath, Advocate for the petitioner.

Mr. Mohit Thakur, AAG Punjab.

Mr. Kulwinder P.K. Gill, Advocate for
Mr. Rohit Aggarwal, Advocate
for respondent No.2.

ARUN MONGA, J. (ORAL)

Petitioner seeks quashing of FIR No.0087 dated 25.04.2017 (Annexure P-1) registered under Sections 406 and 420 IPC, at Police Station, City Kharar, District SAS Nagar, Punjab along with all consequential proceedings arising therefrom in view of the supplementary settlement deed dated 20.02.2020 (Annexure P-3), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 13.07.2023 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 05.09.2023 of Judicial Magistrate 1st Class, Kharar (Duty), had been received. Report reveals that statements of complainant party i.e. respondent No.2 as also of accused/present petitioner herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is

apparent that the complainant/respondent No.2 and accused/petitioner have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled "**Ramgopal and anr. V. The State of Madhya Pradesh**"¹ and a Full Bench decision of this Court in "**Kulwinder Singh and others V. State of Punjab and others**"².

6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

7. Petition is thus allowed. FIR No.0087 dated 25.04.2017 (Annexure P-1) registered under Sections 406 and 420 IPC, at Police Station, City Kharar, District SAS Nagar, Punjab and all proceedings emanating there from *qua* the petitioner stand quashed.

8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

05.10.2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

¹Criminal Appeal No.1489 of 2012