S. No.324 **2023:PHHC:138626**

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-36663 of 2023
Date of Decision:30.10.2023

Manmohan Singh **.....Petitioner**

Vs.

State of Punjab and another **.....Respondents**

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kartik Patial, Advocate for Ms. R. Akanksha, Advocate for the petitioner.
Mr. P.S. Pandher, AAG, Punjab.
Mr. Amanpreet Singh, Advocate for respondent No.2.

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DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.47 dated 30.05.2023 registered at Police Station Mehtiana, District Hoshiarpur under Sections 406 and 420 IPC read with Section 13 of Punjab Travel Professional (Regulation) Act, 2014 along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.2).

This Court vide order dated 31.07.2023 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 Judicial Magistrate Ist Class, Hoshiarpur, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 16.09.2023 to the effect that the compromise

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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.47 dated 30.05.2023 registered at Police Station Mehtiana, District Hoshiarpur under Sections 406 and 420 IPC read with Section 13 of Punjab Travel Professional (Regulation) Act, 2014 along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.2), are quashed qua the petitioner.

October 30, 2023 **(DEEPAK GUPTA)**
renu **JUDGE**

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

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