

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

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CRM-M-37889 of 2022

Date of Decision: 24.01.2023

Kewal Krishan Khanna @ Kanwal Krishan Khanna & ors.

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Kamboj, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Ms. Shaveta Sanghi, 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.36 dated 26.02.2020 registered under Sections 419, 420, 465, 467, 468, 471 & 120 of the IPC registered at Police Station Sadar, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 02.03.2021 as (Annexure P-2).

This Court vide order dated 25.08.2022 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 Additional Chief Judicial Magistrate, Kapurthala and got their statements recorded. On the basis of the statements so

recorded, Learned Chief Judicial Magistrate has submitted report dated 02.12.2022 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.108 dated 01.09.2018 registered under Sections F.I.R. No.36 dated 26.02.2020 registered under Sections 419, 420, 465, 467, 468, 471 & 120 of the IPC registered at Police Station Sadar, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 02.03.2021 as (Annexure P-2), are quashed.

January 24, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No