

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

284

CRM-M-36501-2023
Date of Decision:17.10.2023

Pawan Singh @ Pawan Yadav @ PawanPetitioner
Vs.
State of Haryana and AnotherRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Brijesh Kumar, Advocate
for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Sukhwinder Singh Sudan, 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.0262 dated 24.06.2016 registered under Sections 408 & 120-B of the IPC, 1860 and Section 66-B of Information Technology Act, 2000 registered at Police Station Kherki Daula, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 24.04.2023 (Annexure P-2).

This Court vide order dated 28.07.2023 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 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted

report dated 06.10.2023 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.0262 dated 24.06.2016 registered under Sections 408 & 120-B of the IPC, 1860 and Section 66-B of Information Technology Act, 2000 registered at Police Station Kherki Daula, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 24.04.2023 (Annexure P-2), are quashed qua the petitioner.

(DEEPAK GUPTA)
JUDGE

October 17, 2023
Neetika Tuteja

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