

S. No.133

2023:PHHC:127545

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

CRM-M-38727 of 2023

Date of Decision:03.10.2023

Rajeev Kumar @ Babbu Rajeev Uppal

.....Petitioner

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

None for respondent No.2.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0298 dated 17.12.2022 registered under Section 469 IPC at Police Station City Malout, District Sri Muktsar Sahib, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.2).

This Court vide order dated 16.08.2023 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 Sub Divisional Judicial Magistrate, Malout, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.09.2023 to the effect that the compromise

has been effected between the parties voluntarily and without any coercion or undue influence.

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.0298 dated 17.12.2022 registered under Section 469 IPC at Police Station City Malout, District Sri Muktsar Sahib, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.2), are quashed qua petitioner.

October 03, 2023

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No