

S. No.107+249

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2023.01.18 17:01

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

CRM-M-37484 of 2019 (O&M)

Date of Decision:17.01.2023

Narinder Kaur @ Ninder Kaur and anotherPetitioners

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mohit Kakkar, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

Mr. Shekhar Kumar, Advocate for respondents No.2 and 3.

DEEPAK GUPTA, J.

CRM No.34106 of 2022

This is an application for placing on record the report dated 22.10.2019 as Annexure P.4.

Application is allowed. Report dated 22.10.2019 is taken on record as Annexure P.4.

CRM-M-37484 of 2019

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.265 dated 21.12.2017 registered under Sections 452, 323, 336, 506, 148, 149 IPC at Police Station City South Moga, District Moga and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-1).

This Court vide order dated 06.09.2019 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 Chief Judicial Magistrate, Moga and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 22.10.2019 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 respondents No.2 and 3 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.265 dated 21.12.2017 registered under Sections 452, 323, 336, 506, 148, 149 IPC at Police Station City South Moga, District Moga and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-1), are quashed.

January 17, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No