

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.244

CRM-M-43307-2022
Date of Decision: 11.05.2023

GURMEET SINGH AND ANOTHER

.... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gursharan Singh, Advocate
for the petitioners.

Mr. G. S. Shergill, AAG, Punjab.

Ms. Jaspreet Kaur, Advocate
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.232 dated 12.11.2020 registered under Sections 420 and 120-B IPC and Section 13 of Punjab Travel Professionals Act, 2014, at Police Station Division-2, District Pathankot, and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 28.02.2023 had directed the parties to appear before the trial Court/Illaq 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 First Class, Pathankot and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated

10.04.2023 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.232 dated 12.11.2020 registered under Sections 420 and 120-B IPC and Section 13 of Punjab Travel Professionals Act, 2014, at Police Station Division-2, District Pathankot, and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2), are quashed.

(DEEPAK GUPTA)
JUDGE

11.05.2023
M.Sikka

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No