

S. No.236

2023:PHHC:157410

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

CRM-M-53105 of 2023

Date of Decision:08.12.2023

Suraj Kumar and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sunpreet Singh, Advocate
for the petitioners.

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

Mr. Manmeet Singh Rana, 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.0029 dated 21.02.2020 registered under Section 408 IPC at Police Station Navi Baradari, District Police Commissionerate, Jalandhar along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.5).

This Court vide order dated 02.11.2023 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 Judicial Magistrate Ist Class, Jalandhar, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.11.2023 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.0029 dated 21.02.2020 registered under Section 408 IPC at Police Station Navi Baradari, District Police Commissionerate, Jalandhar along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.5), are quashed qua the petitioners.

December 08, 2023

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No