

Sr. No.309

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

CRM-M-1441-2024
Date of decision: 05th March, 2024

SANDEEP KUMAR ALIAS SANDEEP**Petitioner**

versus

STATE OF PUNJAB AND OTHERS**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Arshdeep Singh, Advocate
for the petitioner.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Ms. Rajni Bala Rohilla, Advocate
for respondent Nos.2 and 3.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0178 dated 10.12.2022, under Sections 363, 366-A IPC, 1860, registered at Police Station Sadar Patiala, District Patiala (Annexure P-1), on the basis of compromise dated 15.12.2023 (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 (father of the prosecutrix) with the allegations that the petitioner has lured away his daughter (respondent No.3) on the pretext of marrying her. The matter has now been amicably settled between the parties and compromise dated 15.12.2023 (Annexure P-2) has been executed between them. As per the compromise, marriage between the petitioner and respondent No.3 has been solemnized on 07.02.2023. The respondents No.2 and 3 do not want to pursue the FIR and they have no objection if the FIR is quashed.

[3] Learned counsel appearing on behalf of respondents No.2 and 3 has confirmed the factum of compromise between the parties.

[4] On 11.01.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 31.01.2024, received from the Additional Chief Judicial Magistrate, Patiala, through the District & Sessions Judge, Patiala, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case and the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.0178 dated 10.12.2022, under Sections 363, 366-A IPC, 1860, registered at Police Station Sadar Patiala, District Patiala (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[09] However, the respondents No.2 and 3 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 15.12.2023 (Annexure P-2) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

05th March, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>