

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

294+297

1.

CRM-M-6715-2024

Date of decision: 15.04.2024

Jagdish Rai Munjal @ Jagdish Rai and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

2.

CRM-M-58649-2023

Vikram Chopra and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Nishtha Garg, Advocate for
Mr. Shubham Tandon, Advocate with
respondent No.2 in person.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petitions are for quashing of FIR No.0005 dated 24.01.2023 under Sections 406, 420 and 120-B of the Indian Penal Code, 1860 registered at Police Station Julkan, District Patiala and all consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

2. Vide orders dated 12.02.2024 and 28.02.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 13.03.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Reports have since been received from learned Judicial Magistrate Ist Class, Patiala, in pursuance of the directions of this

Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. Mr. Bhupinder Singh, respondent No.2-complainant, is present in the Court and has been identified by his counsel. He has placed on record a copy of his Aadhaar Card which is taken on record subject to all just exceptions. Respondent No.2-complainant has submitted that he would not oppose the FIR in question being quashed against all the accused petitioners.

6. In view of the reports of the learned Judicial Magistrate Ist Class, Patiala and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, both the petitions are allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed qua all the petitioners.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

15.04.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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