



300 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-7504-2024
Date of decision: 11th July, 2024

Avdesh Sharma
...Petitioner(s)
Versus
State of Punjab and another
...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Yajur Sharma, Advocate for the petitioner.
Mr. A.S. Samra, AAG, Punjab.
Mr. Akun Sheemar, Advocate for respondent No.2.

MANISHA BATRA, J (ORAL):-

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.472 dated 05.10.2022 under Section 406 of Indian Penal Code, 1860 (Section 201 of IPC added later on) registered at Police Station Islamabad, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise dated 05.02.2024 (Annexure P-2).

2. This Court vide order dated 13.02.2024 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.

3. Pursuant to the aforesaid order, parties have appeared before Judicial Magistrate Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted



report dated 08.04.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. 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 FIR No.472 dated 05.10.2022 under Section 406 of Indian Penal Code, 1860 (Section 201 of IPC added later on) registered at Police Station Islamabad, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise dated 05.02.2024 (Annexure P-2) are quashed qua the petitioner.

[MANISHA BATRA]
JUDGE

11th July, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |