



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

315

CRM-M-11688-2024

Date of decision: 30.07.2024

Parmod Kumar Kashal and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioners.

Mr. Shiva Khurmi, AAG, Punjab.

Mr. Supneet Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition is for quashing of FIR No.255 dated 07.09.2015 under Sections 420, 406, 120-B of the IPC and Section 4/5 of Prize Chits and Money Circulation Scheme Banning Act, 1978 registered at Police Station City Barnala, District Barnala along with all consequential proceedings arising therefrom including judgment/order dated 12.12.2019 passed by learned Chief Judicial Magistrate, Barnala, on the basis of compromise dated 23.02.2024 (Annexure P-4) and for compounding of offences accordingly.

2. Learned counsel for the petitioners submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioners in above mentioned case FIR. In support of his submissions, he has placed reliance upon judgment of this Court in



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Sube Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102 and Hon'ble Supreme Court in ***Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh'*** ***decided on 25.10.2021 : LL 2021 SC 589*** wherein it has been held that the powers of the Court under Section 482 of the Cr.P.C. can be invoked to quash a complaint/FIR on the basis of a voluntary compromise even at the post conviction stage.

3. Vide order dated 06.03.2024 of a Coordinate Bench of this Court, the parties were directed to appear before the trial Court/Illaq Magistrate on 29.04.2024 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Chief Judicial Magistrate, Barnala, in pursuance of the direction 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 respondent No.2 has also made statement to the effect that he would have no objection if the FIR *qua* the petitioners is quashed.

5. The learned Chief Judicial Magistrate, Barnala has annexed copies of statements of the parties alongwith his report.

6. In view of the report of the learned Chief Judicial Magistrate, Barnala and the principles laid down by the Apex Court in ***Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh'*** ***decided on 25.10.2021 : LL 2021 SC 589*** and this



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Court in *Sube Singh and another Vs. State of Haryana and another* :

2013(4) RCR (Criminal) 102, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment/order dated 12.12.2019 passed by learned Chief Judicial Magistrate, Barnala, are quashed qua the petitioners.

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

30.07.2024

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**(MANJARI NEHRU KAUL)
JUDGE**

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