



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

287

CRM-M-15100-2024

Date of Decision: 20.05.2024

SOM PARKASH AND ORS

.....Petitioners

Vs.

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rajesh Kumar Girdhar, Advocate
for the petitioners.

Mr. Amandeep Singh, DAG, Punjab.

Mr. Chakilan, Advocate for
Mr. Piyush Setia, Advocate for respondent No.2.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0142 dated 01.09.2022, under Section 406 of IPC, registered at Police Station City Jalalabad, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise dated 17.10.2022 (Annexure P-2).

This Court vide order dated 22.03.2024 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.

Pursuant to the aforesaid order, parties have appeared before Sub Divisional Judicial Magistrate, Jalalabad (West) and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 29.04.2024 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 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 FIR No.0142 dated 01.09.2022, under Section 406 of IPC, registered at Police Station City Jalalabad, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise dated 17.10.2022 (Annexure P-2) are quashed qua the petitioners.

(DEEPAK GUPTA)
JUDGE

20.05.2024
pry

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No