

Sr. No.286

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

CRM-M-15514-2024
Date of decision: 03rd May, 2024

AMAN KUMAR**Petitioner**

versus

STATE OF PUNJAB AND OTHERS**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rhythem Bajaj, Advocate
for the petitioner.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

Mr. Vishal Sharda, Advocate
for respondents No.2 to 4.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.22 dated 08.02.2024, under Sections 354, 458, 436 IPC, 1860, registered at Police Station City-1, Abohar, District Fazilka (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise in the shape of affidavit of respondent No.2/complainant (Annexure P-2).
2. This Court vide order dated 01.04.2024 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, the parties have appeared before the Sub-Divisional Judicial Magistrate, Abohar and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 20.04.2024 to the effect that the compromise has been effected between the

parties voluntarily and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender”.

4. Learned State counsel as well as counsel for respondents No.2 to 4 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.

6. 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.22 dated 08.02.2024, under Sections 354, 458, 436 IPC, 1860, registered at Police Station City-1, Abohar, District Fazilka (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise in the shape of affidavit of respondent No.2 (Annexure P-2), are ordered to be quashed qua the petitioner.

7. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

03rd May, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No