



Sr. No.285

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

CRM-M-21080-2023
Date of decision: 29th May, 2024

BARJINDER SINGH @ KARAN**Petitioner**

versus

STATE OF PUNJAB AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. G.S. Sirpikhi, Advocate
for the petitioner.

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

Mr. B.S. Mittal, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.09 dated 21.01.2022, under Sections 498-A, 406, 201 IPC, 1860, registered at Police Station Ghuman, Police District Batala (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 05.04.2023 (Annexure P-2), executed between the parties.
2. This Court, vide order dated 13.03.2024, 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.
3. Pursuant to the aforesaid order, the parties have appeared before the Judicial Magistrate Ist Class, Batala and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 15.04.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence. As per the statement of the



accused are party to the compromise. No additional accused has been added during investigation. However, after registration of the FIR, offence under Section 201 IPC was added vide Rapat No.24 dated 04.07.2022. The FIR was registered against total 04 accused persons, out of which, 03 have been declared as innocent during the investigation. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case.

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.

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.09 dated 21.01.2022, under Sections 498-A, 406, 201 IPC, 1860, registered at Police Station Ghuman, Police District Batala (Annexure P-1) and all subsequent proceedings arising therefrom, are ordered to be quashed qua the petitioner.

7. However, the respondent No.2/complainant and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 05.04.2023 (Annexure P-2) are violated.

8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

29th May, 2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No