

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

273

2024:PHHC:010246

CRM-M-29190-2022

Date of decision: January 25th, 2024

Gule Zarrin and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Suneet Pal Singh Aulakh, Advocate
for the petitioners.

Mr. A.P.S. Tung, Deputy Advocate General, Punjab.

Mr. Amandeep Singh Sidhu, Advocate
for Mr. Gurinder Singh Dhillon, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.117 dated 03.04.2021 under Sections 419, 420, 467, 468, 471, 201 IPC, Sections 66(C), 66(D) of the Information and Technology Act, 2000, registered at Police Station Sohana, District S.A.S. Nagar, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 20.05.2022(Annexure P-3).

2. Reply by way of affidavit of Deputy Superintendent of Police, City-2, S.A.S. Nagar, has been filed in Court, which is taken on record.

3. Vide order dated 28.10.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 17.11.2022 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Judicial Magistrate Ist Class, S.A.S. Nagar, in pursuance of the directions 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 the complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

5. The trial Court has annexed the copies of the statements of the parties, along with its report.

6. Learned State counsel has not disputed that the petitioners have no criminal antecedents and have indeed entered into a compromise with complainant/respondent No.2. He, however, submits that one accused Pardeep is yet to be arrested.

7. In view of the report of the learned Judicial Magistrate Ist Class, S.A.S. Nagar, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed *qua* the petitioners only.

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

January 25th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No