

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

268

CRM-M-29626-2022
Date of Decision:14.03.2024

JARNAIL SINGH

.....Petitioner

Vs.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Arvind Kumar Sharma, Advocate
for the petitioner.

Mr. Madhur Sharma, DAG, Punjab.

Mr. V.K. Pujara, Advocate for
Mr. Karan Padam, Advocate for respondent Nos.2 and 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0263 dated 19.12.2017 registered under Sections 406, and 420 of IPC at Police Station Gobindgarh Mandi, District Fatehgarh Sahib (Punjab) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.06.2022 (Annexure P-2).

This Court vide order dated 13.07.2022 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 Judicial Magistrate Ist Class, Amloh and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted

report dated 06.09.2022 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 Nos.2 and 3 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 F.I.R. No.0263 dated 19.12.2017 registered under Sections 406, and 420 of IPC at Police Station Gobindgarh Mandi, District Fatehgarh Sahib (Punjab) and all subsequent proceedings arising therefrom on the basis of compromise deed dated 13.07.2022 (Annexure P-2) are quashed qua the petitioner.

(DEEPAK GUPTA)
JUDGE

14.03.2024
pry

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