

295 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35400-2023 (O&M)
Date of Decision: 19.03.2024

SUNNY ALIAS BHODA

.....PETITIONER

Vs.

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. L.S. Mann, Advocate,
for the petitioner.

Ms. Himani Arora, A.A.G., Punjab.

Mr. Hardeep Singh, Advocate,
for respondent No.2.

HARPREET KAUR JEEWAN J. (ORAL)

[1] Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing FIR No. 240 dated 15.09.2017 (Annexure P-1) registered under Section 354-D at Police Station City Shakot, District Jalandhar (Rural) and all the consequential proceedings arising therefrom on the basis of compromise dated 15.07.2023 (Annexure P-2) effected between the parties.

[2] Learned counsel for the petitioner submits that in order to live peacefully, parties have entered into compromise dated 15.07.2023 (Annexure P-2), according to which, both the parties have agreed not to proceed further with the FIR in question.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties. He submits that respondent No. 2-complainant has no objection if the present FIR against the present petitioner is quashed by this Court.

[4] On 24.07.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 30.10.2023, received from the Judicial Magistrate, Ist Class, Nakodar, through the District & Sessions Judge, Jalandhar, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case and the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in *Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543* and the decision of Hon'ble the Full Bench of this Court in *Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052*, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No. 240 dated 15.09.2017 (Annexure P-1) registered under Section 354-D at Police Station

City Shakot, District Jalandhar (Rural) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] Pending miscellaneous application (s), if any, shall also stand disposed of.

March 19, 2024
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes/No
Whether reportable	Yes/No