



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

306

**CRM-M No.40127 of 2024
Date of decision: 09.12.2024**

NIRMAL SINGH AND OTHERS

.... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Tarundeep Kumar, Advocate for the petitioners.

Mr. Satjot Singh, A.A.G., Punjab.

Ms. Manmeet Kaur, Advocate for respondent No.2.

MANISHA BATRA, J. (oral)

1. This petition has been filed for quashing of FIR No.107, dated 25.05.2024 registered under Sections 406 and 420 of IPC at Police Station Dasuya, District Hoshiarpur along with all consequential proceedings arising therefrom, on the basis of compromise/affidavit dated 29.07.2024 (Annexure P-2) arrived at between the parties.

2. This Court vide order dated 21.08.2024 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 of aforesaid order, parties, except petitioner No.3 and Investigating Officer had appeared before the Sub Divisional Judicial Magistrate, Dasuya and had recorded their statements. On the basis of these statements so recorded, learned Magistrate had sent his report dated



CRM-M No.40127 of 2024

-2-

09.09.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

5. Thereafter vide order dated 25.10.2024, passed by this Court, petitioner No.3-Narinder Kaur was directed to appear before the trial Court and to record her statement through video conferencing mode.

6. Pursuant to the aforesaid order, petitioner No.3-Narender Kaur appeared before the Sub Divisional Judicial Magistrare, Dasuya and recorded her statement through video conferencing mode. On the basis of the statement so recorded, learned Magistrate has submitted copy of report dated 04.12.2024 with regard to the genuineness of the compromise effected between the parties.

7. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

8. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

9. 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.107, dated 25.05.2024 registered under Sections 406 and 420 of IPC at Police Station Dasuya, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 29.07.2024 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

09.12.2024
Jyoti-IV

Whether speaking/reasoned: Yes/No.
Whether reportable : Yes/No