

273 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:130522



CRM-M-42681-2024
Date of Decision: 01.10.2024

SUDHIR JOSHI ...Petitioner
Vs.
STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM:- HON'BLE MS. JUSTICE MANISHA BATRA

Present: Mr. Sikandh Mehta, Advocate for
Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

Mr. Raghav Bali, Advocate for
Mr. Parveen Sharma, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed for quashing of FIR No.84 dated 07.05.2024 registered under Section 295-A of IPC and Section 66 of I.T. Act at Police Station City-2, Khanna along with all consequential proceedings arising therefrom, on the basis of compromise dated 23.08.2024 (Annexure P-2) arrived at between the parties.

2. This Court vide order dated 31.08.2024 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 to the aforesaid order, parties have appeared before the Sub Divisional Judicial Magistrate, Khanna, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.09.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.



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 FIR.

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.84 dated 07.05.2024 registered under Section 295-A of IPC and Section 66 of I.T. Act at Police Station City-2, Khanna along with all consequential proceedings arising therefrom, on the basis of compromise dated 23.08.2024 (Annexure P-2) are quashed qua the petitioner.

(MANISHA BATRA)
JUDGE

01.10.2024

kv

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