

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

308

**2024:PHHC:001872
CRM-M-46681-2023
Date of decision: January 09, 2024**

HARISH KUMAR

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashok Malhotra, Advocate
for Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Arun Luthra, Deputy Advocate General, Punjab.

Mr. Vipin Kumar, Advocate
for Mr. Arun Kumar, Advocate
for the complainant/respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.235 dated 14.09.2019 under Section 420 of the Indian Penal Code, 1860 registered at Police Station City Rajpura, District Patiala, and the consequential proceedings arising out of the same, on the basis of compromise affidavit dated 24.03.2022 (Annexure P-2) arrived at between the parties.

2. Vide order dated 04.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 04.11.2023 to get their statements recorded regarding the compromise arrived at between them.

3. Report dated 22.11.2023 has since been received from the learned Sub Divisional Judicial Magistrate, Rajpura, 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-petitioner, is quashed.

4. The trial Court has annexed the photocopies of the statements of the parties, along with its report.

5. In view of the report of the learned Sub Divisional Judicial Magistrate, Rajpura, 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 petitioner.

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

January 09, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No