

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46447-2023
DATE OF DECISION: 28.02.2024

SUKHDARSHAN SINGH AND ANR PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA.

Present: - Mr. Vijay Rana, Advocate
for the petitioners.

Mr. Amandeep Singh, DAG, Punjab.

None for respondent No.2.

.....

DEEPAK GUPTA, J (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.160 dated 04.08.2021, registered under Sections 420, 406 and 120-B of IPC and Section 13 of Punjab Travel Professionals (Regulation) Act at Police Station Sirhind, Tehsil and District Fatehgarh Sahib, and all subsequent proceedings arising therefrom on the basis of compromise.

This Court vide order dated 04.01.2024 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Fatehgarh Sahib and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 07.02.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Statement of Respondent No.2-complainant, namely, Sukhpal Singh with regard to compromise was recorded before learned Magistrate on 19.01.2024.

Learned State counsel has 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.160 dated 04.08.2021, registered under Sections 420, 406 and 120-B of IPC and Section 13 of Punjab Travel Professionals (Regulation) Act at Police Station Sirhind, Tehsil and District Fatehgarh Sahib, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

28.02.2024

Jatin

(DEEPAK GUPTA)
JUDGE

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