

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

317

2024:PHHC:017821

CRM-M-49957-2023

Date of decision: February 8th, 2024

Ranjit Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Aayush Gupta, Advocate
for the petitioners.

Mr. A.P.S. Tung, Deputy Advocate General, Punjab.

Mr. Akshay Chadha, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.199 dated 18.12.2021 under Section 82 of the Registration Act, 1908 (Sections 420 and 120-B of the IPC added later on) registered at Police Station Punjab Agricultural University, District Police Commissionerate, Ludhiana, along with all consequential proceedings arising therefrom on the basis of compromise dated 16.08.2023 (Annexure P-2).

2. Vide order dated 04.10.2023, while issuing notice of motion, the following submissions had been made by the learned counsel for the petitioner and it was in the aforementioned background, the parties had been directed to get their respective statements recorded before the Illaqa Magistrate with respect to the compromise so effected:-

*“Learned counsel appearing for the petitioner
submits that in fact a fraud had been played upon the*

petitioner by the co-accused who was his as well as the complainant's vender by fraudulently selling property of the complainant to him. He submits that in the case in hand it is co-accused Balbir Singh, Noorat Singh and Gurpreet Singh are the principal accused and the only role attributed to the petitioner in the crime in question is being purchaser of the complainant's property."

3. Report has since been received from learned Judicial Magistrate Ist Class, Ludhiana, 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 she would have no objection if the FIR *qua* the accused-petitioners is quashed.

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

5. It has been brought to the notice of this Court by learned counsel for the petitioner that one of the co-accused Gurpreet Singh was exonerated during investigation and not challaned.

6. In view of the report of the learned Judicial Magistrate Ist Class, Ludhiana, 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 only.

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

February 8th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No