



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

248

CRM-M-48954-2024(O&M)

Date of Decision: 08.11.2024

SUNIL KUMAR AND OTHERS

....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Surinder Garg, Advocate for the petitioners.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. B.D. Sharma, Advocate for respondents no.2 & 3.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.05 dated 18.01.2018 under Sections 406, 420 and 120-B of IPC (Section 420 of IPC was added in report under Section 173 Cr.P.C.) registered at Police Station City-1, Mansa District Mansa and all the subsequent proceedings arising therefrom, on the basis of compromise dated 16.09.2024 (Annexure -P-2).

2. This Court vide order dated 01.10.2024 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 learned Chief Judicial Magistrate, Mansa and got their statements recorded.



On the basis of the statements so recorded, learned Magistrate has submitted report dated 16.10.2024 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 & 3 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.05 dated 18.01.2018 under Sections 406, 420 and 120-B of IPC registered at Police Station City-1, Mansa District Mansa and all subsequent proceedings arising therefrom on the basis of compromise dated 16.09.2024 (Annexure P-2) are quashed qua the petitioners herein only.

08.11.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

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