



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

254

CRM-M-49733-2024(O&M)
Date of Decision: 22.11.2024

SUNNY KUMARPetitioner
VERSUS
STATE OF PUNJAB AND ORSRespondents

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Surender Kumar, Advocate for
Mr. Simranjit, Advocate for the petitioner.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. Lovish Rattan, Advocate for respondent no.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.0118 dated 09.06.2018 under Sections 406, 408 and 381 IPC registered at Police Station Sohana, SAS Nagar, Mohali and all the subsequent proceedings arising therefrom, on the basis of compromise dated 28.09.2024 (Annexure P-2).

2 . This Court vide order dated 04.10.2024 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 Judicial Magistrate 1st Class, SAS Nagar Mohali and got their statements recorded. On the basis of the statements so recorded, learned



Magistrate has submitted report dated 24.10.2024 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.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.0118 dated 09.06.2018 under Sections 406, 408 and 381 IPC registered at Police Station Sohana, SAS Nagar, Mohali and all subsequent proceedings arising therefrom on the basis of compromise dated 28.09.2024 (Annexure P-2) are quashed qua the petitioner.

22.11.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

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