



CRM-M-50211-2024

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

CRM-M-50211-2024

Date of Decision:29.11.2024

DALBIR KUMAR AND ANR.**.....PETITIONERS****VERSUS****STATE OF PUNJAB AND ANR.****.....RESPONDENTS****CORAM:- HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Ms. Pooja, Advocate for
Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Satjot Singh, AAG, Punjab.

Mr. Azam Khan, Advocate
for respondent No.2.

MANISHA BATRA, J (ORAL)

The present petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for quashing of FIR No.209 dated 21.11.2014 registered under Sections 420, 465, 467, 468, 471, 120-B of IPC at Police Station Dina Nagar, District Gurdaspur, and all the subsequent proceedings arising therefrom, on the basis of compromise dated 23.09.2024 (Annexure P-2).

2. Power of Attorney on behalf of respondent No.2 has been filed by Mr. Azam Khan, Advocate and the same is taken on record.

3. 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.

4. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate 1st Class, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.11.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

5. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

7. 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.209 dated 21.11.2014 registered under Sections 420, 465, 467, 468, 471, 120-B of IPC at Police Station Dina Nagar, District Gurdaspur, all subsequent proceedings arising therefrom on the basis of compromise dated 23.09.2024 (**Annexure P-2**) are quashed qua the petitioner.

29.11.2024
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No