



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-55591-2023(O&M)

Date of Decision: 01.10.2024

HARNEET SINGH MADAN

....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Prashsant Vashisth, Advocate for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

Mr. Amarjit Singh, Advocate for respondents no.2 & 3.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.69 dated 13.05.2018 under Sections 406, 420, 34 of IPC read with Section 13 of Punjab Travel Professional Regulation Act, 2013 registered at Police Station Dasuya, District Hoshiarpur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 25.10.2023 (Annexure P-2).

2. This Court vide order dated 08.11.2023 had directed the parties to appear before the Illaqa/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 the learned Sub Divisional Judicial Magistrate, Dasuya and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted copies of reports dated 05.01.2024 and 13.08.2024 to the effect that



the compromise has been effected between the parties voluntarily and without any coercion or undue influence. It is also pertinent to mention here there were three accused namely Harneet Singh, Satpal Singh and Arjun Singh mentioned in the FIR. However, Satpal Singh and Arjan Singh were declared innocent during investigation. Separate statements of present petitioner and complainant/respondents No.2 & 3 as well as the Investigating Officer had been recorded. It is further mentioned in the report that a compromise has been effected between the parties and that the petitioner has not been declared proclaimed person in this case.

4. As per the discussion so made above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

5. 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.69 dated 13.05.2018 under Sections 406, 420, 34 of IPC read with Section 13 of Punjab Travel Professional Regulation Act, 2013 registered at Police Station Dasuya, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 25.10.2023 (Annexure P-2) are quashed qua the petitioner herein only.

(MANISHA BATRA)
JUDGE

01.10.2024

Deepak Patwal

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