

[316] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-58301-2023

Date of Decision : 22.02.2024

Lakhbir Singh @ Lakha

...Petitioner

versus

State of Punjab and others

....Respondents

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Suresh Kumar Arya, Advocate for the petitioner.
Mr. Sahil R. Bakshi, DAG, Punjab.
Mr. Anil Kumar Spehia, Advocate for respondent No.2 & 3.

DEEPAK GUPTA, J. (ORAL)

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.426, dated 11.10.2007, registered under Sections 420/406 IPC, 1860 at Police Station Sadar, District Amritsar, and all subsequent proceedings arising therefrom on the basis of compromise dated 05.09.2023 (Annexure P-3).

[2] This Court vide order dated 20.11.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send the report qua the genuineness of the compromise.

[3] Pursuant to the aforesaid order, parties have appeared before learned Additional Chief Judicial Magistrate, Amritsar, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.01.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

[4] Statement of Respondent No.2-complainant namely, Didar Singh, with regard to compromise was recorded before learned Magistrate on 29.11.2023.

[5] Learned State counsel as well as learned counsel for respondent Nos.2 & 3 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 F.I.R. 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 F.I.R. No.426, dated 11.10.2007, registered under Sections 420/406 IPC, 1860 at Police Station Sadar, District Amritsar, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

22.02.2024
'Rajneesh'

Whether speaking/ reasoned : Yes/No
Whether reportable : Yes/No