

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

310

2024:PHHC:015161

CRM-M-60318-2023

Date of decision: February 5th, 2024

Abhinav Mahajan and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ritesh Pandey, Advocate
for the petitioners.

Mr. A.P.S. Tung, Deputy Advocate General, Punjab.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.125 dated 08.11.2023 under Sections 420, 120-B of the Indian Penal Code, 1860 and Section 13 of Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Dhariwal, District Gurdaspur and all subsequent proceedings arising therefrom, on the basis of compromise dated 16.11.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 01.12.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on 05.01.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Chief Judicial Magistrate, Gurdaspur, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without

any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The trial Court has annexed the statements of the parties in original, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Chief Judicial Magistrate, Gurdaspur, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

6. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

February 5th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No