

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

CRM-M-60783-2023
Date of Decision : 07.02.2024

Sandeep Thapa and another
versus
...Petitioners

State of Punjab and another ... Respondents

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

Present : Mr. Lovish Rattan, Advocate for
Mr. C.L. Premy, Advocate for the petitioners.
Mr. Karunesh Kaushal, AAG, Punjab.
Ms. Navjot Kaur, Advocate for respondent No.2.

DEEPAK GUPTA, J. (ORAL)

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0106, dated 31.05.2021, registered under Section 379-B of IPC, (later on added offence under Sections 201, 411 of IPC) at Police Station Phase-1, District SAS Nagar, Mohali, and all subsequent proceedings arising therefrom on the basis of compromise dated 26.10.2023 (Annexure P-3).

[2] This Court vide order dated 05.12.2023 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 District & Sessions Judge, SAS Nagar, Mohali, and got their statements recorded. On the basis of the statements so recorded,

learned trial Court has submitted report dated 20.12.2023 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, Jatininder Kumar, with regard to compromise was recorded before learned Magistrate on 15.12.2023.

[5] Learned State counsel as well as learned 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 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.0106, dated 31.05.2021, registered under Section 379-B of IPC, (later on added offence under Sections 201, 411 of IPC) at Police Station Phase-1, District SAS Nagar, Mohali, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

07.02.2024
'Rajneesh'

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