



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

274

CRM-M-62606-2023

Date of decision: 04.11.2024

ARUN GUPTA AND ANR

....Petitioners

V/s

STATE OF PUNJAB AND ANR

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Divanshu Jain, Advocate, for the petitioners.

Mr. Rubal Pawar, AAG, Punjab.

Mr. Himanshu Raj, Advocate for
complainant-respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.0012 dated 03.02.2019 under Sections 420, 406 and 34 of the Indian Penal Code registered at Police Station Cantt Bathinda, District Bathinda, and all consequential proceedings arising out of the same, on the basis of compromise dated 27.10.2021 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 21.05.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 04.07.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Addl. Chief Judicial Magistrate, Bathinda, 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 she would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the copies of statements of the parties, alongwith 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 Addl. Chief Judicial Magistrate, Bathinda and the principles laid down by Hon'ble 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 qua petitioners.

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

(MANJARI NEHRU KAUL)
JUDGE

November 04, 2024

poonam

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No