



340 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2784-2024

Date of decision: 20.01.2025

PUNEET KUMAR CHAWLA

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Arunjeet Singh Kakkar, Advocate for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

None for respondent No.2.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.172 dated 07.08.2018 under Sections 420, 408, 120-B IPC registered at P.S. City Faridkot, District Faridkot (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 15.07.2023 (Annexure P-2).

2. The following order was passed on 27.08.2024 :-

“The Prayer in this petition under Section 482 Cr.PC is for the quashing of the FIR No.172 dated 07.08.2018 under Sections 420, 408, 120-B IPC registered at P.S. City Faridkot, District Faridkot and all other consequential proceedings arising therefrom, on the basis of compromise dated 15.07.2023 (Annexure P-2) entered into between the parties.

Learned counsel for the petitioners Learned counsel for the petitioners submits that in order to live peacefully, parties have entered into Compromise according to which, both the parties have agreed not to proceed further with the FIR in question.

Adjourned to 20.01.2025.

Keeping in view the above, the parties are directed to appear before the trial Court/Illaq Magistrate for recording of their statements on 18.11.2024 with regard to the compromise by



moving an appropriate application or by presenting this order. The Trial Court/Illaq Magistrate is directed to submit the report on or before the next date of hearing containing the following information:-

- 1. Number of persons arrayed as accused in the FIR;*
- 2. Whether any accused is a proclaimed offender;*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence;*
- 4. Whether the accused persons are involved in any other FIR or not; and*
- 5. The statements of the complainant and all the victims/persons aggrieved shall be recorded by the Trial Court;*
- 6. The Trial Court is also directed to record the statement of the Investigating Officer so as to know how many victims/complainants are there in the FIR and all the victims/complainant as well as accused are party to the compromise in question.*

The petitioner shall deposit a cost of Rs.50,000/- with the Sadhna Society for the Mentally Handicapped, Near Housing Board Chowk, Raen Basera Building, Manimajra, Sector 13, Chandigarh on or before the date of recording of their statements and produce the receipt of the same to the Trial Court/Illaq Magistrate.”

3. Learned counsel for the petitioner submits that the petitioner is the only accused, who is facing trial and other co-accused was not arrested since registration of the FIR (*supra*) and has been declared proclaimed offender.

4. In compliance of the aforesaid order, a report has been received from the concerned jurisdictional Court that the compromise between the parties is genuine and arrived at without any pressure or coercion from anyone.

5. In view of the compromise and the ratio of law laid down by the Hon'ble Supreme Court in ***Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 46***, and ***Shakuntala Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63*** and Full Bench of this Court in ***Kulwinder***



Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052, this petition is allowed and FIR No.172 dated 07.08.2018 under Sections 420, 408, 120-B IPC registered at P.S. City Faridkot, District Faridkot (Annexure P-1) (Annexure P-1) and all consequential proceedings arising out of the same are quashed, qua the petitioner.

January 20, 2025
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(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |