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

CRM-M-4399-2023

Date of decision: 01.03.2025

Santokh Singh and others

....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Ishita Negi, Advocate for
Mr. Nimanyu Gautam, Advocate
for the petitioners.

Mr. Nitesh Sharma, DAG, Punjab.

Mr. Rishabh Chaudhary, Advocate
for respondent No.2.**HARPREET SINGH BRAR, J. (ORAL)**

1. This petition has been filed under Section 482 of Cr.P.C. seeking quashing of FIR No.89 dated 11.11.2022 under Sections 420/406/120-B of IPC registered at Police Station Maloud, District Khanna (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 23.12.2022 (Annexure P-2).

2. On 29.02.2024, the following order was passed:-

'Prayer in this petition is for quashing of the FIR No.89 dated 11.11.2022, under Sections 420,406 and 120-B of IPC, registered at Police Station Maloud, District Khanna (Annexure P-1), and all other subsequent proceedings arising therefrom on the basis of compromise dated 23.12.2022 (Annexure P-2).

Notice of motion.

On asking of the Court, Mr. Rajinder Singh Bhatta, DAG, Punjab, accepts notice on behalf of respondent No.1 and Mr. Vikramveer Sharda, Advocate, has put in appearance on behalf of respondent No.2 and filed his vakalatnama, which is taken on record.



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Learned counsel for respondent No.2 has not denied the factum of compromise effected between the parties.

Adjourned to 21.03.2024.

In the meanwhile, both the parties are directed to appear before the concerned Illaqa/Duty Magistrate on 07.03.2024 or any other date fixed by the Court below, for recording their statements, who shall record their respective statements with regard to the genuineness/correctness of the compromise and that the compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It would also be verified that besides the accused (petitioners) mentioned in the petition, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case. The Illaqa Magistrate/Duty Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date fixed before this Court.'

3. On 29.01.2025, the following order was passed:-

'...MAIN CASE

The parties are again directed to appear before the jurisdictional/Illaqa Magistrate within a period of two weeks, in terms of order dated 29.02.2024.

Adjourned to 01.03.2025.

A copy of the order be sent to learned trial Court/Illaqa Magistrate through fax for compliance.'

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 466** 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



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petition is allowed and FIR No.89 dated 11.11.2022 under Sections 420/406/120-B of IPC registered at Police Station Maloud, District Khanna (Annexure P-1) along with all subsequent proceedings arising therefrom are quashed, *qua* the petitioners.

(HARPREET SINGH BRAR)
JUDGE

01.03.2025

Neha

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