

2026:PHHC:054537



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

263

CRM-M-65108-2025
Date of Decision: 08.04.2026

RAKESH KUMAR GOGNA

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI.

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioners.

Mr. Attar Ahmad, AAG, Punjab.

Mr. Sandeep Sharma, Advocate
for respondents No.2 and 3.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in this petition is for quashing of an FIR No.148 dated 08.09.2025 (Annexure P-1) registered under Section 408 of IPC, 1860 at Police Station Moti Nagar, District Police Commissionerate Ludhiana alongwith all consequential proceedings arising therefrom on the basis of a compromise dated 03.11.2025 (Annexure P-2) arrived at between the parties.

Vide order dated 19.11.2025, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded with regard to the compromise dated 03.11.2025 (P-2).

The Illaqa Magistrate/trial Court was to submit a report in this regard giving certain details as enumerated in the said order.

Pursuant to the order dated 19.11.2025 passed by this Court, the parties have appeared before the learned Judicial Magistrate, 1st Class, Ludhiana

and as per the report dated 20.02.2026 submitted to this Court, both the parties have got recorded their respective statements in Court.

A perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise, there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.P.C. can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in ***“Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543”***.

In view of the aforesaid report of the learned Judicial Magistrate, 1st Class, Ludhiana accompanied by statements of both the parties, the FIR No.148 dated 08.09.2025 (Annexure P-1) registered under Section 408 of IPC, 1860 at Police Station Moti Nagar, District Police Commissionerate Ludhiana along with all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

Petition stands disposed of.

APRIL 08, 2026.

Rajender

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No