

BALJEET SINGH AND ANR VS STATE OF PUNJAB AND ANOTHER

Present: Mr. Sukhmeet Singh, Advocate, for the petitioners.

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The petitioners have filed the present petition seeking quashing of FIR No.38 dated 13.04.2022 under Section 420 IPC registered at Police Station Kot Ise Khan, District Moga and all consequential proceedings arising therefrom on the basis of the compromise dated 20.05.2023 (Annexure P-2).

Learned counsel for the petitioners has submitted that the parties have compromised the matter and as such, the present FIR is liable to be quashed.

Notice of motion.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab accepts notice on behalf of respondent No.1 and Mr. J.S. Bhinder, Advocate, accepts notice on behalf of respondent No.2.

Learned counsel for respondent No.2 has endorsed the contention raised by learned counsel for the petitioners and has not denied the factum of compromise effected between the parties.

Adjourned to 11.09.2023.

Let the State file status report.

In the meanwhile, both the parties are directed to appear before the concerned Illaqa/Duty Magistrate on 11.07.2023 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 shall also be verified that besides the accused (petitioner) 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/Duty Magistrate shall send his/her report through learned Sessions Judge concerned on or before the date fixed before this Court.

(RAJESH BHARDWAJ)
JUDGE

29.05.2023
sharmila