

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No. M- 34325 of 2015(O&M)

Date of Decision:-04.11.2015

Gurmeet Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: **HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- Mr. Mansur Ali, Advocate for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Mohit Mohindra, Advocate for the respondent No.2-
complainant.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for quashing of FIR No. 9 dated 29.1.2015, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Kiratpur Sahib, District Rupnagar (Annexure P-1) and all the proceedings subsequent arising thereto on the basis of compromise dated 10.8.2015 (Annexure P-2).

This Court vide order dated 07.10.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to the compromise dated 10.08.2015 (Annexure P/2) and the Illaqa Magistrate/trial Court was directed to submit its report.

Pursuant to the aforesaid order dated 07.10.2015, the parties have appeared before Judicial Magistrate Ist Class, Anandpur Sahib and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 26.10.2015 to the effect that the parties have willfully settled their differences and reached at bona fide compromise

without any pressure and the same is genuine.

Mr. Mohit Mahajan, Advocate, has put in appearance on behalf of respondent No.-2/complainant and filed his power of attorney, which is taken on record. He also does not dispute the factum of compromise entered between the parties.

Statement of the complainant-respondent no.2, namely, Amritpal Kaur wife of Late Bikramjit Singh, village Aaspur, Police Station, Kiratpur Sahib, District Rupnagar, reads as under:-

“Stated that I have reached compromise with accused Gurmeet Singh son of Jaspal Singh, Inderjeet Singh son of Jaspal Singh, Mangal Singh son of Jaspal Singh, Balwinder Singh son of Sant Ram, all the resident of Village Aaspur, P.S. Kiratpur Sahib District Rupnagar. The compromise dated 19.08.2015 was effected between me without any fear, threat or pressure. I am deposing in the Court today with my own free will without any fear, threat or pressure. On the basis of compromise accused Gurmeet Singh son of Jaspal Singh, Inderjeet Singh son of Jaspal Singh, Mangal Singh son of Jaspal Singh, Balwinder Singh son of Sant Ram, filed a petition under Section 482 of the Code of Criminal Procedure before the Hon'ble Punjab and Haryana High Court for quashing FIR No.09 Dated 29.01.2015, Police Station Kiratpur Sahib, Under Section 420, 467, 468, 471, 120-B of the Indian Penal Code. The matter between us has been finalized by respectable persons and I do not want to pursue the case against the accused due to compromise. I have no objection if the above said FIR against the all accused is quashed.

*(Jaspreet Singh, PCS)
JMIC/APS/16.10.2015”*

*RO & AC
Sd/-Amritpal Kaur*

Learned counsel for the State has also not disputed the factum of compromise entered between the parties.

Apart from the statement of the complainant, whereby she has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.9 dated 29.1.2015, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Kiratpur Sahib, District Rupnagar (Annexure P-1) and all the proceedings subsequent arising thereto on the basis of compromise dated 10.8.2015 (Annexure P-2), are hereby quashed, qua the petitioners.

(HARI PAL VERMA)
JUDGE

November 04, 2015
Anjal