

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-36547-2014 (O & M)

Date of decision:27.04.2015

Ram Gopal and anr.

...Petitioners

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. Amandip Kaur, Advocate,
for Mr. J.B.S. Gill, Advocate,
for the petitioners.

Mr. Shilesh Gupta, Addl.A.G.Punjab.

Rajan Gupta, J. (oral)

This is a petition under Section 482 Cr.P.C. seeking quashing of FIR No.111 dated 05.09.2014 registered against the petitioners under Sections 420/506 IPC at Police station Garshankar, District Hoshiarpur, on the basis of compromise.

Pursuant to order dated October 28, 2014, passed by this court, a report has been received from the trial court. Relevant part whereof reads as under:-

“In these circumstances, it seems that genuine compromise has been effected between the parties without any pressure or coercion U/s 420, 506 IPC. However, the complainant as well as accused does not suffer any statement regarding compromise in the same FIR in regard to the additional Section added at later stage U/s 8 of Prevention of Corruption Act. The report of concerned SHO and Criminal Ahlmad of this court reveals that the remand papers regarding the said proceedings are lying in the Special designated

court at Hoshiarpur. Accordingly, report is submitted alongwith original statements of the parties.”

Learned State counsel submits that State has no instruction to enter into compromise with the accused in the offence under Section 8 of the Prevention of Corruption Act, thus, this petition cannot be quashed on the basis of compromise.

I am of the considered view that the present petition is misconceived. Even in the main petition, no prayer has been made for quashing of offence under the special act. This petition is without any merit. Dismissed.

27.04.2015
sukhpreet

(RAJAN GUPTA)
JUDGE