

CRM-M-40665 of 2013

Date of Decision:30.03.2015

Afzal Masih Chaudhary and another

....Petitioners

VERSUS

State of Punjab and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. J.S. Bhatti, Advocate
for the petitioners.

Mr. P.S. Grewal, DAG, Punjab.

Mr. Yogesh Goel, Advocate
for respondent No.3.NAVITA SINGH J. (ORAL)

This is a petition under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.144 dated 29.11.2000, under Sections 420/467/468/471 and 120-B of the Indian Penal Code, Police Station Division No.2, Ludhiana, on the basis of compromise, along with all subsequent proceedings arising therefrom.

Reply by way of affidavit of Avinash Kumar, through whom respondent No.3 is sued, is filed and the same is taken on record.

Parties have arrived at a compromise (Annexure P-2).

In terms of order dated 03.12.2013, statements of the parties were recorded by Judicial Magistrate First Class, Ludhiana, who submitted his report that the complainant had stated that he had no objection if the FIR was quashed. The Magistrate recorded an opinion that the compromise appeared to be genuine and none of the accused persons was declared proclaimed offender nor any other criminal case were pending against the accused.

Today, complainant filed an affidavit confirming the compromise.

It has also been stated by counsel for the parties that the parties have compromised the matter.

In view of the above, there should not be any impediment in allowing the parties to compromise the matter. Support to this view can be had from the authority **“Kulwinder Singh Vs. State of Punjab 2007(3) RCR (Criminal) page 1052”**.

In view of the above, the petition is accepted. The above-said FIR and the proceedings connected therewith are hereby quashed.

Disposed of.

(NAVITA SINGH)
JUDGE

March 30, 2015
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