

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

CRM-M No.41019 of 2014 (O&M)
Date of Decision: 12.03.2015

Harpreet Singh @ Happy & OthersPetitioners

Vs

State of Punjab & OthersRespondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Karan Gupta, Advocate
for the petitioners.

Mr Varun Sharma, AAG Punjab
for the respondent-State.

Mr. Bhupender Singh, Advocate
for the respondents No.2 and 3.

1. ***Whether Reporters of local papers may be allowed to see the judgment ?***
2. ***To be referred to the Reporters or not ?***
3. ***Whether the judgment should be reported in the Digest?***

RAJ MOHAN SINGH, J. (Oral)

Prayer in the present petition, filed under Section 482 of the Cr.P.C is for quashing of FIR No.163 dated 19.04.2008 (Annexure P-1) registered under Section 379 IPC, Police Station Sadar Patiala, District Patiala, on the basis of a compromise (Annexure P-2) arrived at between the parties.

This Court vide order dated 02.12.2014, directed both the parties to appear before the trial Court on 15.12.2014 and the

trial Court was obligated to record their statements and make a report to that effect to this Court with regard to genuineness of the compromise in question.

In pursuance of order of this Court, which was fully endorsed in the subsequent order dated 13.01.2015 also, parties appeared before Additional Chief Judicial Magistrate, Patiala on 12.02.2015 and got their statements recorded.

The complainant got his statement recorded to the effect that he has entered into the compromise with the intervention of the respectable persons and now he does not want to take any action against the accused persons. Compromise in question has been effected voluntarily without their being any pressure upon him. He pleaded no objection in case FIR against the accused is quashed and the parties shall remain bound by the terms of the compromise.

Similarly, accused also got their statements recorded accepting the factum of compromise. The compromise deed Ex.CX has also been annexed by the Additional Chief Judicial Magistrate, Patiala along with report.

After recording statements of the parties, Additional Chief Judicial Magistrate, Patiala recorded his satisfaction with regard to the veracity and genuineness of the compromise in question endorsing that the compromise is genuine, voluntary and without coercion and undue influence. The report submitted by

Additional Chief Judicial Magistrate, Patiala, would also form part of this order

This Court has considered the nature of accusation forming subject matter of FIR. In order to allow the parties to live in peace and maintain public peace and tranquility, this Court feels that it would be just and expedient to quash the criminal prosecution.

Resultantly, the prayer made in the present petition is allowed. FIR No.163 dated 19.04.2008 (Annexure P-1) registered under Section 379 IPC, Police Station Sadar Patiala, District Patiala along with entire subsequent proceedings, if any, undertaken in pursuance thereof stands quashed.

[Raj Mohan Singh]
Judge

12.03.2015
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