

CRM-M-42427 of 2014
Date of Decision: 26.02.2015

MANJOT SINGH AND OTHERS **Petitioners**
VERSUS
STATE OF PUNJAB AND ANOTHER **Respondents**

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Puneet Sharma, Advocate for
Mr. Sandeep Arora, Advocate
for the petitioners.

Mr. Surjeet Singh Chaudhary, DAG, Punjab.

Mr. G. S. Rawat, Advocate
for respondent No.2.

LISA GILL J. (ORAL)

Prayer in this petition for quashing of FIR No.35 dated 22.02.2014 under Sections 406/420/506/120-B of IPC at Police Station Navi Baradari, District Jalandhar.

The above-mentioned FIR has been registered on the basis of an application of Jasvir Singh-respondent No.2 for alleged commission of offences punishable under Sections 406/420/506/120-B of IPC against the petitioners.

Due to the intervention of respectables, elders and friends, a compromise has been arrived at between the parties on 27.01.2015. The parties wish to live in peace and harmony and put an end to the acrimony between them. These petitions have been filed on the basis of compromise.

This Court on 11.12.2014 had directed the parties to appear before the learned Illaqa Magistrate on 27.01.2015 for getting their statements recorded in respect to the settlement. Learned Illaqa

Magistrate was asked to opine about the genuineness and voluntary nature of the compromise and submit its report along with the statements of the parties.

Pursuant thereto, report dated 28.01.2015 has been received from the learned Judicial Magistrate 1st Class, Jalandhar wherein it is observed that the settlement arrived at between the parties is genuine and voluntary. Complainant-Jasvir Singh appeared before the Magistrate and got recorded his statement to the effect that a settlement has been arrived at with the petitioners out of his own free will and without any coercion, undue influence, threat or pressure and stated that he has no objection to the quashing of this FIR against the petitioners. Statements of the petitioners were also recorded. Copy of the statements is attached along with the report.

Mr. G. S. Rawat, Advocate appearing on behalf of respondent No.2-Jasvir Singh admits the factum of compromise between the parties and submits that Jasvir Singh-complainant has no objection to the quashing of this FIR against the petitioners.

Learned State counsel, on instructions from Head Constable Chand Singh, affirms and verifies the factum of settlement between the parties. The parties belong to the same area. They do not wish to pursue the proceedings in order to maintain peace and harmony.

In "**Kulwinder Singh and Others Vs. State of Punjab 2007 (3) RCR (CrI) 1052**", a five member Bench of this Court has observed as under:-

"The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Criminal Procedure Code is used to enhance such a compromise which, it turn, enhances the social amity and reduces friction, then it truly is "finest hour of justice".

In view of the above, it would be in the interest of justice to quash the abovesaid petition as no useful purpose will be served by continuing the present proceedings. It will only lead to wastage of the precious time of the Court and would be an exercise in futility as chances of conviction of the accused are absolutely bleak.

Petition is, thus, allowed and FIR No.35 dated 22.02.2014 registered under Sections 406/420/506/120-B of IPC at Police Station Navi Baradari, District Jalandhar and all consequential proceedings emanating therefrom, are hereby quashed in the interest of justice.

(LISA GILL)
JUDGE

February 26, 2015
rittu