

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-654-2015

Date of decision: 13.3.2015

Sudarshan Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

PRESENT: Mr. Dinesh Trehan, Advocate for the petitioner.

Mr. YK Gupta, AAG, Punjab.

Mr. Jashandeep Singh, Advocate for respondents No. 2 & 3.

R.P. NAGRATH, J. (ORAL)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 42 dated 5.4.2014 registered under Sections 420/406 of the Indian Penal Code at Police Station 'B' Division, Amritsar and all the consequential proceedings arising therefrom, on the basis of compromise/affidavits dated 10.10.2014 (Annexures P-2- and P3, respectively).

Report from the trial Court has been received after recording statements of parties on the compromise. Trial Court has also sent the copies of statement of Jagdish Chand (father of accused Sudharshan Kumar) and joint statement of respondents No. 2 and 3, namely; Paramvir Singh (complainant) and Jyoti Saroop Singh.

The trial Court has reported that the compromise reached between the parties is genuine and bona fide.

On instructions from ASI Bachan Singh, learned State counsel submits that FIR was registered on the statement of respondent No. 2-Paramvir Singh and the only other aggrieved person as per the FIR is respondent No. 3-Jyoti Saroop Singh. Statement of the petitioner has been recorded through his father, namely; Jagdish Chand being special power of attorney.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

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)** and 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. 42 dated 5.4.2014 registered under Sections 420/406 of the Indian Penal Code at Police Station 'B' Division, Amritsar and all the consequential proceedings arising therefrom are quashed on the basis of compromise/affidavits dated 10.10.2014 (Annexures P-2- and P3, respectively).

March 13, 2015
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(R.P. NAGRATH)
JUDGE