

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

CRM-M-11055 of 2016.
Decided on:-24.08.2016.

Sukhdev Singh @ Sukha Bhoot and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Sandeep S. Majithia, Advocate
for the petitioners.

Mr. P.S. Madahar, AAG, Punjab
for respondent No.1-State.

Mr. Munish Raj, Advocate
for respondent No.2-complainant.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.53 dated 20.2.2016 under Sections 392 and 451 read with Section 34 IPC registered at Police Station Division-A, Amritsar, District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 8.3.2016 (Annexure P-2) and affidavit dated 16.2.2016 furnished by respondent No.2-complainant Rajesh Kumar (Annexure P-3).

This Court vide order dated March 31, 2016 had directed the

parties to appear before the Illaqa Magistrate/trial Court and the trial Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate 1st Class, Amritsar and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 1.6.2016 to the effect that the compromise has been entered into between the parties voluntarily and without any threat or coercion.

The factum of compromise between the petitioners and respondent No.2-complainant has not been disputed by learned State counsel. Similarly, learned counsel for respondent No.2-complainant has also accepted the compromise between the parties.

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

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.53 dated 20.2.2016 under Sections 392 and 451 read with Section 34 IPC registered at Police Station Division-A, Amritsar, District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of

compromise dated 8.3.2016 (Annexure P-2) and affidavit dated 16.2.2016
furnished by respondent No.2-complainant Rajesh Kumar (Annexure P-3).

August 24, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes / No

Whether Reportable: Yes / No