

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-11610 of 2016

Date of Decision: 03.06.2016

Sukhwinder Singh

...Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

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

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

Present:- Mr.Barjinder Singh, Advocate for
Mr. Rakesh Gupta, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.166 dated 9.9.2013 under Sections 406, 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 registered at Police Station Shambhu, District Patiala, (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise dated 2.2.2016 (Annexure P-2).

This Court vide order dated 4.4.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements

recorded with regard to compromise and the trial Court was directed to submit its report regarding the compromise so effected.

Pursuant to the aforesaid order dated 4.4.2016, the parties have appeared before Judicial Magistrate Ist Class, Rajpura and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 17.5.2016 to the effect that the compromise is genuine, voluntary and without any coercion or undue influence.

Joint statement of Lakhwinder Singh, complainant and others reads as under:-

“A compromise has been effected between Sukhwinder Singh accused and complainant with the intervention of respectable persons of the both sides on 02.02.2016. The compromise is Ex.CX. According to the compromise dated 02.02.2016, we the complainants are ready to quash the present criminal case against the accused and now not further proceeded in the present case. We have compromised the matter in abovesaid FIR voluntarily and without any coercion or undue influence.

RO & AC
Sd/-(Lakhwinder Singh
Sd/-(Sucha Singh)
Sd/- (Mangat Singh)
Sd/- (Kulwant Singh)
Sd/- (Parvinder Singh)

Sd/-
(Rajiv Kumar)
JMJC/Rajpura/11.05.2016”

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Learned State counsel does not dispute the factum of compromise arrived at between the parties.

Accordingly, 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), as 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.166 dated 9.9.2013 under Sections 406, 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 registered at Police Station Shambhu, District Patiala, (Annexure P-1) and consequential proceedings arising therefrom are quashed, *qua* the petitioner, in view of compromise dated 2.2.2016 (Annexure P-2).

June 03, 2016
AK

(HARI PAL VERMA)
JUDGE