

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

CRM-M-12066 of 2016
Date of decision: 02.06.2016

Jasvir Khan and others

-----Petitioner (s)

V/s

State of Punjab and another

-----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.Sumeet Puri, Advocate for the petitioners.

Mr.R.S. Nain, AAG, Punjab.

None for respondent No.2-complainant.

HARI PAL VERMA, J.(Oral)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of FIR No.120, dated 05.08.2014 under Sections 406/420/120-B IPC Police Station City Dhuri, District Sangrur and all consequential proceedings arising therefrom on the basis of compromise dated 04.04.2016 (Annexure P-1).

This Court vide order dated 07.04.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 07.04.2016, the parties have appeared before learned Sub Divisional Judicial Magistrate, Dhuri and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded his report dated 13.05.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

Though, today no one is present on behalf of respondent No.2-complainant, namely, Jaswinder Singh, but no prejudice would be caused to him, as he has already suffered a statement with regard to validity of the compromise before learned Magistrate on 09.05.2016. The said statement reads as under:-

“Stated that I have compromised the matter related to FIR No.120 dated 05.08.2014 PS. City Dhuri u/s 406/420/120-B of IPC with all the accused persons present in the Court today with the interventions of the respectables. The compromise is out of my own free will and consent and with any core-coin and undue influence from any corner. I have seen the photocopy of the compromise dt.04.04.2016 which is Ex.CX and same bears my signatures. I have no objection if the above said FIR is quashed by the Hon'ble High Court.”

Apart from the above statement made by complainant/respondent No.2, whereby he has shown no objection to the FIR being quashed. 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 counsel for the State has also not disputed 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.120, dated 05.08.2014 under Sections 406/420/120-B IPC Police Station City Dhuri, District Sangrur and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 04.04.2016 (Annexure P-1).

02.06.2016
Anjal

[HARI PAL VERMA]
JUDGE