

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

CRM-M-18254 of 2016

Date of decision: 20.09.2016

Gurinder Singh and others

----Petitioner (s)

V/s

State of Punjab & another

-----Respondent(s)

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

Present:- Mr.Manish Verma, Advocate for the petitioners.

Mr. P.S. Madahar, AAG, Punjab.

Mr. Ankur Bansal, Advocate for respondent
No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.332 dated 10.09.2007 under Sections 420/465/467/468/471/120-B IPC, registered at Police Station Division No.6, District Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom including the order dated 25.11.2011 (Annexure P-2) passed by learned Judicial Magistrate Ist Class, Jalandhar on the basis of compromise dated 25.04.2016 (Annexure P-3).

This Court vide order dated 24.05.2016 had directed the parties to appear before the trial Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 24.05.2016, the parties have appeared before learned Civil Judge (Jr. Divn.)-cum-Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 04.07.2016 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.

The statement made by the complainant-respondent No.2, namely, Surat Singh son of Teja Singh before the Magistrate on 07.06.2016, reads as under:-

“Stated that I have compromised the matter with all the accused persons. The compromise is without any pressure, threat or undue influence and is the result of my free Will. I have no objection if the present FIR bearing no.-332, dated 10.09.2007, u/s 420/465/467/468/471/120-B IPC, registered at Police Station Div No.6, Jalandhar FIR is quashed by Hon'ble Punjab & Haryana High Court. No accused in proclaimed person in this case.”

Apart from the statement of the complainant-respondent No.2- *Baljeet Singh*, 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 as well as learned counsel appearing for respondent No.2 does not dispute the factum of compromise entered 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.332 dated 10.09.2007 under Sections 420/465/467/468/471/120-B IPC, registered at Police Station Division No.6, District Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom including the order dated 25.11.2011 (Annexure P-2) passed by learned Judicial Magistrate Ist Class, Jalandhar, are quashed, qua the petitioners, in view of the compromise dated 25.04.2016 (Annexure P-3).

20.09.2016Anjal**[HARI PAL VERMA]
JUDGE**

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No