

271.

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

**CRM-M-19928-2016**

Date of decision:04.10.2016

Naresh Kumar

... Petitioner

versus

State of Punjab and others

.... Respondents

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

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Present: Mr. Munish Puri, Advocate,  
for the petitioner.

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

Mr. Sanjeev Kumar, Advocate,  
for respondents No.2 and 3.

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**HARI PAL VERMA, J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.28 dated 22.03.2016 under Sections 406/420 IPC, registered at Police Station Kanwan, District Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.05.2016 (Annexure P-2).

Mr. Sanjeev Kumar, Advocate, has put in appearance on behalf of respondents No.2 and 3 and filed power of attorney which is taken on record.

This Court vide order dated 02.06.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Pathankot and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.07.2016 to the effect that the compromise has been effected between parties without any pressure or coercion or undue influence and the same is genuine and valid.

Respondent No.2-complainant, namely, Tilak Raj has made his statement with regard to compromise before learned Magistrate on 25.07.2016. The same is reproduced as under:-

“I am the Complainant in this case. I have compromised the matter with the accused namely Naresh Kumar S/o late Thuru Ram, R/o Kataru Chack, Tehsil and District Pathankot in the case bearing FIR No.28 dt. 22.03.2016, U/S 406/420 IPC P.S. Kanwan with the intervention of respectables. I have received settled amount Rs.85,000/- from the accused on 11.05.2016 and also received one gold ring today which was lying with the accused and given gold ring to the accused as per our settlement/compromise dated 11.05.2016. I have decided to end this litigation and live peacefully. I have no grudge against the accused. I am giving the statement voluntarily and with my free will and without any coercion.”

Apart from above, similar statement has also been made by the daughter of complainant namely, Rimpi Bala-respondent No.3 whereby she has shown no objection to the FIR being quashed.

Learned State counsel as well as learned counsel for respondents No.2 and 3 have not disputed the factum of 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.28 dated 22.03.2016 under Sections 406/420 IPC, registered at Police Station Kanwan, District Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 11.05.2016 (Annexure P-2).

**(HARI PAL VERMA)**  
**JUDGE**

04.10.2016  
sanjeev

Whether speaking/reasoned  
Whether Reportable:

Yes/No.  
Yes/No.