

252/2.

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

CRM-M-19929-2016

Date of decision:07.09.2016

Heera Lal and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Bhupinder Singh, Advocate,
for Mr. Munish Gupta, Advocate,
for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.165 dated 11.09.2013 under Sections 406, 420 IPC registered at Police Station Kotwali Nabha, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.05.2016 (Annexure P-2).

This Court vide order dated 03.06.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court 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 Judicial Magistrate Ist Class, Nabha and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 05.08.2016 to the effect that the compromise

effected between parties is genuine, voluntary and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Darshan Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 21.07.2016. The same is being reproduced as under:-

“Stated that the present case was registered on the basis of my application against accused Heera Lal, Mahinder Kinger and Randeep Batta. With the intervention of respectable person I have compromised the matter with the accused. The original compromise deed has been produced before the Hon'ble High Court and copy thereof is Ex.CX which bear my signatures and I identify the same. The compromise is voluntary, without any pressure, threat or coercion. In case the present FIR is cancelled in conformity with compromise, I have no objection. I have no grudge against the accused and as such I do not want to proceed with the present case. I do not know whereabouts of the witness Sharanjit Singh son of Jagjit Singh”

Learned State counsel has 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.165 dated 11.09.2013

District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 10.05.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

07.09.2016
sanjeev

Whether speaking/reasoned	Yes/No.
Whether Reportable:	Yes/No.