

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

**Criminal Misc. No. M-20246 of 2016  
Date of Decision:-20.12.2016**

Varinder Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

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

Present:- Mr. Jitender Singh Dadwal, Advocate  
for the petitioners.

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

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

Prayer in the present petition is for quashing of FIR No.66 dated 25.4.2016, under Section 420 IPC, registered at Police Station Civil Lines, Bathinda along with all consequential proceedings arising therefrom on the basis of compromise dated 25.5.2016 (Annexure P-2).

Vide order dated 3.6.2016, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to forward a report about the genuineness of the compromise to this Court.

In compliance of the order dated 3.6.2016, the parties have appeared before the learned Magistrate on 12.7.2016 for getting their statements recorded.

The report dated 13.7.2016 received from the learned Chief Judicial Magistrate, Bathinda, reveals that the compromise has been effected between the parties without any undue pressure.

The statement made by complainant Gursewak Singh before the CJM, Bathinda, on 12.7.2016 reads as under :-

“Stated that FIR of this case was registered on my complaint against accused/petitioners Varinder Singh son of Bheem Raj and Suman Rani wife of Naresh Kumar. Now I have effected a compromise with the accused/petitioners. Now I do not want to proceed with present case against the petitioners and I have no objection if FIR No.66 dated 25.4.2016, under Section 420 IPC, P.S. Civil Lines, Bathinda is quashed against petitioners, as the compromise has been effected with the intervention of respectables. As per compromise, accused/petitioners have paid Rs.4,00,000/- to me. Now, I have no grudge against the accused/petitioners. Compromise has been effected without any pressure, undue influence or coercion.”

Learned State counsel does not dispute the aforesaid factual position, rather admits the factum of compromise effected between the parties.

Heard.

Since the parties have entered into a compromise and learned Magistrate has recorded their statements followed by his report, continuation of the trial arising out from the impugned FIR and consequential proceedings would be sheer abuse of the process of law since

chances of the conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of **Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)** and as approved by Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.66 dated 25.4.2016, under Section 420 IPC, registered at Police Station Civil Lines, Bathinda and the consequential proceedings arising therefrom are hereby quashed qua petitioners on the basis of compromise.

December 20, 2016  
Vijay Asija

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

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No