

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

CRM-M-24623 of 2016

Date of decision: 15.11.2016

Inderjit Singh and another

-----Petitioner (s)

V/s

State of Punjab & another

-----Respondent(s)

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

Present:- Mr.Sandeep Arora, Advocate for the petitioners.

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

None for respondent No.2-complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.80 dated 03.05.2015 under Sections 420/465/467/468/471/120-B IPC, registered at Police Station Navi Baradari, Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 14.07.2016 (Annexure P-2).

This Court vide order dated 22.04.2016 had directed the parties to appear before Illaqa Magistrate/the trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/the trial Court was directed to submit its report qua the genuiness of the compromise.

Pursuant to the aforesaid order dated 22.04.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Jalandhar and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 01.09.2016 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 nobody is present on behalf of respondent No.2-complainant-Des Raj Jassal, 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 30.08.2016, The said statement reads as under:-

“Stated that one criminal case vide FIR No.80, dated 3.5.2015 under Section 420/465/467/468/471/120 B IPC has been registered against Surinder Kaur wife of Gurmeet and Inderjeet Singh son of Swaran Singh. In compliance of order of Hon'ble Punjab and Haryana High Court, Chandigarh in CRM-M-12623/2016, I have come present for recording my statement. The matter has already been compromised with all the accused. I have seen the compromise which is Ex C1. I have compromised the matter without any pressure, threat or due influence and with my sweet will and free consent. I have no objection if the present FIR qua all the accused be quashed. I have brought my original Identity Card in the court today and copy of self attested of my identity Card is Ex.C2.”

Apart from the statement of the 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 State counsel 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.80 dated 03.05.2015 under Sections 420/465/467/468/471/120-B IPC, registered at Police Station Navi Baradari, Jalandhar (Annexure P-1), and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 14.07.2016 (Annexure P-2).

15.11.2016

Anjal

[HARI PAL VERMA]

JUDGE

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No