

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

CRM-M-29361 of 2016
Date of decision: 08.12.2016

Pardeep Kumar and another

----Petitioner (s)

V/s

State of Punjab and another

-----Respondent(s)

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

Present:- Mr.H.P.S. Ishar, Advocate for the petitioners.

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

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.193 dated 29.06.2011 under Sections 454, 380, 448, 506, 511 and 120-B IPC, registered at Police Station Zirakpur, District SAS Nagar, Mohali (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 16.08.2016(Annexure P-2).

This Court vide orders dated 24.08.2016 had directed the parties to appear before Illaqa Magistrate/ trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order 24.08.2016, the parties have appeared before learned Sub-Divisional Judicial Magistrate, Dera Bassi and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 04.10.2016 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- Ram Mehar, but no prejudice would be caused to him, as he has already suffered statement with regard to the compromise before learned Magistrate on 22.09.2016. The said statement reads as under:-

“Stated that FIR No.193 dated 29.06.2011, under Sections 454, 380, 448, 506, 511, 120-B IPC, Police Station Zirakpur was registered on the basis of my statement. Now I have compromised the matter with the accused. I have not objection if the said FIR is quashed and appropriate order be passed.”

Apart from the above statement of the 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.193 dated 29.06.2011 under Sections 454, 380, 448, 506, 511 and 120-B IPC, registered at Police Station Zirakpur, District SAS Nagar, Mohali (Annexure P-1) and all consequential proceedings arising therefrom, are

quashed, qua the petitioners, in view of the compromise dated 16.08.2016
(Annexure P-2).

08.12.2016
Anjal

[HARI PAL VERMA]
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>Yes/No</i>