

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

CRM-M-36484-2015

Date of Decision: 29.02.2016

JASKIRAT SINGH @ ROMI @ JASMEET SINGH

.....Petitioner

Vs

STATE OF PUNJAB AND ANR.

.....Respondents

CORAM: HON'BLE MR. TEJINDER SINGH DHINDSA.

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

Mr. D.S. Virk, AAG, Punjab.

Mr. Rajeshwar Singh Thakur, Advocate,
for the respondent No. 2.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

TEJINDER SINGH DHINDSA, J.(Oral)

The instant petition has been filed under Section 482 Cr. P.C. for quashing of FIR No. 167 dated 13.09.2014 under Sections 406/420 IPC, registered at Police Station Model Town Hoshiarpur, District Hoshiarpur.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 15.12.2015, had directed the parties to appear before Illaqa Magistrate concerned for recording of their statements in supports of the compromise and a report as regards veracity and genuineness of the compromised has been called for.

Placed on record is a report dated 12.01.2016 of the learned Chief Judicial Magistrate, Hoshiarpur and a perusal thereof

would reveal that the compromise has been effected between the complainant-respondent No. 2-Rakesh Kumar and accused-petitioner-Jaskirat Singh@Romi@Jasmeet Singh.

Appended alongwith the report are recorded statements of the accused/petitioner and also of the complainant. In the report dated 12.01.2016, it has been opined that the compromise has been entered into without any pressure or coercion.

Even during the course of the arguments today, Mr. Rajeshwar Singh Thakur, Advocate has appeared on behalf of the complainant-respondent No.2 and contends that the settlement has been arrived at between the parties.

In the light of such factual position, the parties have settled the dispute which was essentially civil in nature. It would be construed as an abuse of the process of law, if prosecution initiated on the basis of the impugned FIR is permitted to continue. It would be a fit case for exercise of powers under Section 482 Cr. P.C. and to bring to an end the proceedings initiated in the light of the impugned FIR.

Accordingly, present petition is allowed FIR No. 167 dated 13.09.2014 under Sections 406/420 IPC, registered at Police Station Model Town Hoshiarpur, District Hoshiarpur and all proceedings emanating therefrom are quashed qua the present petitioner.

Petition stands disposed of.

**[TEJINDER SINGH DHINDSA]
JUDGE**

February 29, 2016