

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

CRM-M-14565 of 2016

Date of decision: 21.11.2016

Jagtar Singh

----Petitioner (s)

V/s

State of Haryana & another

-----Respondent(s)

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

Present:- Mr.Vikas Arora, Advocate for the petitioner.

Mr.Manish Bansal, DAG, Haryana.

None for respondent No.2-complainant.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.535 dated 28.08.2012 under Sections 420, 406, 467, 468, 471, 120-B and 506 IPC, registered at Police Station Hisar Civil Lines, District-Hisar(Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 25.04.2016 (Annexure P-2).

This Court vide order dated 02.05.2016 had directed the parties to appear before the trial Court on 16.05.2016 or any other other date convenient to the Court to get their statements recorded with regard to compromise and the trial Court was directed to submit its report qua the genuiness of the compromise along with the statements of the parties.

Pursuant to the aforesaid order dated 02.05.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Hisar and got

their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 23.05.2016 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-*Suresh Kumar Son of Ram Sawrup*, 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 16.05.2016 to the effect that he has compromised the matter with the accused/petitioner with own sweet will and without any pressure and has no objection in case the present FIR is quashed on the basis of compromise.

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.535 dated 28.08.2012 under Sections 420, 406, 467, 468, 471, 120-B and 506 IPC, registered at Police Station Hisar Civil Lines, District-Hisar(Annexure P-1),

and all consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 25.04.2016 (Annexure P-2).

21.11.2016
Anjal

[HARI PAL VERMA]
JUDGE

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