

260.

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

CRM-M-43299-2015

Date of decision:03.08.2016

Taranjit Singh

... Petitioner

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.B.S. Randhawa, Advocate,
for Mr. Parneet Singh Baidwan, Advocate,
for the petitioner.

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

Mr. Harvinder Pal Singh Ghuman, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.247, dated 22.08.2015 under Sections 420, 465, 468, 471 IPC, registered at P.S. City-1 Abohar, District Fazilka (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.12.2015 (Annexure P-2).

This Court vide order dated 21.12.2015 had directed the parties to appear before the Illaqa Magistrate and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Sub Divisional Judicial Magistrate, Abohar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 08.02.2016 to the effect that the

compromise so effected between the complainant party and accused is voluntary and genuine.

Respondent No.2-complainant, namely, Ram Singh has made his statement with regard to the compromise before learned Magistrate on 05.02.2016. The same is being reproduced as under:-

“Stated that present case FIR No.247 dated 22.08.2015 under section 420/465/468/471 of IPC was registered at PS City 1 Abohar was registered at my instance and now with the intervention with the panchyat I have compromise with the accused party. Said compromise is with my free sweet will and without any pressure coercion or force. To live amicably in the society and having good relation among us, the present FIR may kindly be quashed. Copy of compromise is Ex.PX on which I identify my signature.”

Mr. Harvinder Pal Singh Ghuman, Advocate, has put in appearance on behalf of respondent No.2 and has filed vakalatnama which is taken on record. He admits the factum of compromise entered between the parties.

The learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another-2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others-(2012)**

10 SCC 303, this petition is allowed and F.I.R. No.247, dated 22.08.2015 under Sections 420, 465, 468, 471 IPC, registered at P.S. City-1 Abohar, District Fazilka (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 11.12.2015 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

03.08.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.