

277

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 12478 of 2017
Date of Decision: 06.11.2017

Sukhwinder Singh @ Shinda

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Raman Goklaney, Advocate,
for the petitioner.

Mr. Luvinder Sofat, A.A.G., Punjab,
for respondent No. 1.

Mr. Rahul Arora, Advocate,
for respondent No. 2

None for respondents No. 3 and 4.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 118, dated 09.10.2016, under Sections 420 and 120-B of the Indian Penal Code, registered at Police Station Makhu, District Ferozepur, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Affidavit (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Zira, vide report dated 03.05.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is represented by his Counsel and he does not oppose the compromise, whereas respondents No. 3 and 4 are not present nor they are represented by their counsel, however, they have made a statement on 27.04.2017, before the Judicial Magistrate Ist Class, Zira, whereby they have admitted the factum of compromise with the accused person voluntarily and without any pressure or coercion.

[4]. In view of the report of the Chief Judicial Magistrate, Amritsar, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 118, dated 09.10.2016, under Sections 420 and 120-B of the Indian Penal Code, registered at Police Station Makhu, District Ferozepur,

(Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

06.11.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No