

242.

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

CRM-M-14516-2017

Date of decision:28.09.2017.

HARJIT SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Shubhjot Singh Chadha, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab,
for respondent No.1.

Mr. Karanvir Singh, 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.266 dated 21.11.2016 under Sections 406, 420, 467, 468, 471 IPC, registered at Police Station Rajpura City, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 31.12.2016 (Annexure P-2).

This Court vide order dated 27.07.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Patiala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.08.2017 to the effect that the compromise effected between the parties is genuine, voluntary, without coercion or undue influence and an outcome of free will and consent of the parties.

Respondent No.2-complainant, namely, Vikramjeet Singh has made his statement with regard to compromise before learned Magistrate on 22.08.2017. The same is reproduced as under:-

“Stated that I got registered case bearing FIR No.266 of 21.11.2016 U/s 406, 420, 467, 468, 471 IPC, P.S. City Rajpura, against accused Harjit Singh son of Rajinder Singh and except this accused, there is no other accused named in FIR No.266 dated 21.11.2016. Now the matter has been compromised on intervention of respectables and a written compromise dated 31.12.2016 has been executed, which is without any pressure, coercion or inducement from anybody. Original compromise was handed over to the Police of P.S. City Rajpura. There is no other case pending between us in any Court. I have no objection if present FIR is quashed.”

Learned State counsel as well as learned counsel for respondent No.2 have 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**

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.266 dated 21.11.2016 under Sections 406, 420, 467, 468, 471 IPC, registered at Police Station Rajpura City, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise/affidavit dated 31.12.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

28.09.2017
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No