

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-1461-2017 (O&M)
Date of Decision : 02.06.2017

Taj Mohd. (Bundu) and another

.... Petitioners

Vs.

State of Punjab and another

.... Respondents

CORAM : HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jai Bhagwan, Advocate for the petitioner.
Mr. Rajesh Mehta, Addl. A.G., Punjab.
Mr. Aseem Kataria, Advocate for respondent No.2.

AMOL RATTAN SINGH, JUDGE (ORAL)

By this petition, quashing of criminal complaint No.39 is sought, which was instituted on 02.09.2009 before the learned Sub Divisional Judicial Magistrate, Malerkotla, alleging therein the commission of offences punishable under Sections 420, 467, 468, 471 and 120-B, IPC. Quashing is sought on the basis of a compromise stated to have been reached between the petitioners and respondent No.2, who is seen to be the complainant as per the copy of the complaint annexed as Annexure P-1 with this petition.

Vide an order dated 28.02.2017, the petitioners as also respondent No.2 were directed to appear before the learned trial Court on the date already fixed there and to get recorded their statements in respect of the compromise reached between the parties.

Pursuant to the said order, the report of the learned Sub Divisional Judicial Magistrate, Malerkotla, dated 17.03.2017, is on record, stating to the effect that the statements of respondent no.2, i.e. the

complainant Napinder Singh, and the petitioners Bashir Mohd. and Taj Mohd., have been recorded in terms of the compromise, which as per the assessment of the learned Magistrate, seems to be genuine and made voluntarily without any pressure or coercion.

Copies of the statements have also been annexed with the report.

In view of the above, on consent of learned counsel for the petitioners as also respondent no.2 and learned State counsel (though the State has no actual role in the matter), the main petition itself is taken up for hearing today, in view of the fact that by this application, i.e. CRM No.18580 of 2017, stay of the proceedings before the trial Court has been prayed for, on the ground that despite the recording of the statements, that Court is “pressing hard” for a decision of the case.

Since the complainant, i.e. respondent no.2, has compromised the matter voluntarily with petitioners no.1 and 2, I see no reason as to why this petition should not be allowed.

Consequently, in the interest of peace and harmony, the petition is accordingly allowed and criminal complaint no.39 dated 02.09.2009, alleging therein the commission of offences punishable under Sections 420, 467, 468, 471 and 120-B, IPC, alongwith all consequential proceedings arising therefrom, is hereby quashed.

June 02, 2017

dinesh/rajneesh

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No