

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

CRM-M-1608-2017 (O&M)
Date of decision: 03.10.2017

Inderjit Singh & anr.

.... Petitioners

versus

State of Punjab and ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. M.S.Sidhu, Advocate for
Mr. Rajeev Sharma, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Kewal Singh, Advocate
for respondent Nos.2 & 3.

Hari Pal Verma, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.139 dated 16.10.2012 under Sections 420, 427, 447, 506, 120-B IPC registered at Police Station Sadar Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.12.2016 (Annexure P-2).

This Court vide order 01.08.2017 had directed the parties to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to compromise and learned trial Court/Illaq Magistrate was directed to submit its report regarding the genuineness of the compromise so effected on the basis of statements so recorded.

Pursuant to the aforesaid order, the parties have appeared

before learned Judicial Magistrate Ist Class, Ludhiana and got their statements recorded. Learned Magistrate has forwarded his report dated 29.09.2017 to the effect that the aforesaid statements have been recorded by the parties voluntarily and their compromise has been arrived at without any pressure or undue influence from either side. Thus, the compromise is genuine and valid. The statement of Gurmeet Singh, complainant, which is accompanied with the report, reads as under:-

“Statement of Gurmeet Singh, aged 69 years son of Dalip Singh, R/o H.No.30, Ward No.4, Bahrampur Road, Gurdaspur. (ON S.A).

I am complainant in FIR No.139 dated 16.10.2012 u/s 420/427/447/506/120-B IPC registered at PS Sadar Ludhiana. During the pendency of above said case our compromise has been effected with the intervention of respectable and Inderjit Singh and Jaswant Singh filed a CRM-M-1608 of 2017 writ petition for quashing above said FIR on the basis of compromise. I have no objection if the present FIR may be quashed against both the accused by the Hon'ble High Court. This compromise has been effected between us without any pressure or coercion and photocopy of compromise is Mark-A.

*RO & AC
Sd/- Gurmeet Singh
Sd/- (Adv)*

*Sd/-
(Shilpa Singh),
JMJC/Ldh./04.09.2017”*

Apart from the above, similar statement has also been made by respondent No.3 – Ram Piyari whereby she has shown no objection to the FIR being quashed.

Learned counsel for State does not dispute the factum of

compromise between the parties.

Learned counsel for the respondents No.2 and 3 has also not disputed the factum of the compromise between the parties.

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.

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.139 dated 16.10.2012 under Sections 420, 427, 447, 506, 120-B IPC registered at Police Station Sadar Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom along with all the consequential proceedings is quashed *qua* the petitioners, in view of compromise dated 13.12.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

03.10.2017
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1. Whether reportable?	Yes/No
2. Whether speaking/Non-speaking?	Yes/No