

**260 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 18876 of 2017
Date of Decision: 13.09.2017**

Surjit Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Ramesh Sharma, Advocate,
for the petitioners.

Mr. S.S. Cheema, A.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 163, dated 10.12.2016, under Sections 420 and 120-B of the Indian Penal Code, registered at Police Station Meharban, District Ludhiana, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Ludhiana, on the basis of compromise.

[2]. During pendency of petition, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by her. 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 Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Ludhiana, vide

report dated 02.06.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is not present nor she is represented by her counsel. However, she has made a statement on 02.06.2017, before the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Ludhiana, whereby she has admitted the factum of compromise with the accused out of her free will and without any sort of pressure or fear and deposed that now all the doubts between her and the accused persons have been cleared.

[4]. In view of the report of the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Ludhiana, 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 herself compromised the dispute with the petitioners/ accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 163, dated 10.12.2016, under Sections 420 and 120-B of the Indian Penal Code, registered at Police Station Meharban, District Ludhiana, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

13.09.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No