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

CRM-M-18922-2017

Date of decision:11.10.2017.

HARPREET SINGH & ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. G.B.S. Gill, Advocate,
for the petitioners.

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

Mr. Tejinder Pal 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.23 dated 22.02.2014 under Section 420 IPC, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 18.05.2017 (Annexure P-2).

This Court vide order dated 14.09.2017 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 Chief Judicial Magistrate, Sri Muktsar Sahib and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 07.10.2017 to the effect that the compromise arrived at between the parties is genuine, voluntary and without any threat, coercion or undue pressure.

Respondent No.2-complainant, namely, Balwinder Singh has made his statement with regard to compromise before learned Magistrate on 29.09.2017. The same is reproduced as under:-

“Stated that FIR No.23, dated 22.02.2014, U/S 420 of IPC P.S City Sri Muktsar Sahib was registered against Harpreet Singh, Joginder Pal Singh, Simran @ Rajneet Kaur Gill only on my statement. Now the matter has been compromised with the intervention of the respectables amicably. The compromise has been effected voluntarily, without any coercion, fraud, undue influence or misrepresentation and with the free will of the parties. I have no objection if the FIR No.23 dated 22.02.2014, U/S 420 of IPC, P.S City Sri Muktsar Sahib 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 Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by 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.23

dated 22.02.2014 under Section 420 IPC, registered at Police Station City Sri Muktsar Sahib, District Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 18.05.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

11.10.2017
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No