

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

**CRM-M No. 22361 of 2016
Date of Decision: 14.09.2017**

Lakwinder Kaur

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vijay Rana, Advocate,
 for the petitioner.

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

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 218, dated 02.11.1999, under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Shahkot, District Jalandhar, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist Class, Nakodar, 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 him. 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 Judicial Magistrate Ist Class, Nakodar, vide report dated 04.10.2016, 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 he is represented by his counsel. However, he has made a statement on 17.08.2016, before the Judicial Magistrate Ist Class, Nakodar, whereby he has admitted the factum of compromise with the accused without any duress, coercion or any other pressure, to maintain the peace and harmony in the Village and deposed that this compromise has been arrived at with the intervention of respectables and he has no objection, if the said F.I.R. is quashed against Lakhwinder Kuar and also there is no other case pending between him and the accused.

[4]. In view of the report of the Judicial Magistrate Ist Class, Nakodar, 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 himself compromised the dispute with the petitioner/accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 218, dated 02.11.1999, under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Shahkot, District Jalandhar, (Annexure P-1), and all consequential proceedings

arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

14.09.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No