

In the High Court of Punjab and Haryana at Chandigarh

Criminal Misc. No. M-23806 of 2017

Date of Decision: 18.9.2017

Satish Kumar Vagera and other

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

None for respondent No. 2.

HARI PAL VERMA, J. (ORAL)

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of F.I.R. No. 314 dated 3.10.2013 under Section 419, 420, 467, 468, 471, 120-B IPC, registered at Police Station Civil Lines, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.5.2017 (Annexure P-2).

This Court vide order dated July 10, 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 Judicial Magistrate Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 29.7.2017 to the effect that the compromise arrived

at between the parties is genuine and is not the result of any pressure or coercion.

Though no one has put in appearance on behalf of respondent No. 2-complainant, namely, Jagjit Ram Sharma but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 24.07.2017. The same is reproduced as under:-

“An FIR No. 314 dated 3.10.2013 under Sections 419, 420, 467, 468, 471, 120-B of the Indian Penal Code has been registered by me against the accused namely Satish Kumar, Ardahman Singh, Mahesh Lutra at Police Station 'Civil Lines', Amritsar. With the intervention of the respectables of the locality, a compromise has been effected for the amicable settlement between all of us. The compromise between us is genuine, voluntary and without any pressure or coercion on anybody. No other criminal proceedings are pending between me and the persons stated above.”

Learned State counsel does not dispute 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 the F.I.R. No. 314 dated 3.10.2013 under Section 419, 420, 467, 468, 471, 120-B IPC, registered at Police Station Civil Lines, District Amritsar (Annexure P-1) and all subsequent

proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 20.5.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

September 18, 2017
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No