

261.

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

CRM-M-24013-2017

Date of decision:08.12.2017

KULDEEP SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Narinder S. Lucky, Advocate,
for the petitioner.

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

Mr. Ajay Singla, 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.98 dated 20.05.2016 under Sections 420/406 IPC, registered at Police Station City Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.06.2017 (Annexure P-2).

This Court vide order dated 11.07.2017 had directed the parties to appear before the Illaqa Magistrate/trial Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise, however, the petitioner could not appear before the trial Court. Again vide order dated 04.09.2017, another opportunity was granted to the petitioner to get his statement recorded in

with the trial Court.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Tarn Taran and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.10.2017 to the effect that the compromise has been effected between the parties without any threat or pressure. Learned Magistrate has also intimated that costs as imposed by the Hon'ble High Court vide order dated 04.09.2017 has also been deposited.

Respondent No.2-complainant, namely, Balbir Singh has made his statement with regard to the compromise before learned Magistrate on 04.10.2017. The same is reproduced as under:-

“Stated that the matter has been compromised with Kuldeep Singh s/o Sher Singh r/o Ladhuwal Utar, Tehsil Jalalabad, District Fazilka without any threat or pressure. I have no objection if the FIR No.98 dated 20.05.2016 u/sec 420/406 IPC of P.S. City Tarn Taran, may be 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.98 dated 20.05.2016

under Sections 420/406 IPC, registered at Police Station City Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 27.06.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

08.12.2017
sanjeev/mamta

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