

243.

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

CRM-M-25471-2016 (O&M)

Date of decision:11.10.2017.

RANJEET SINGH & ORS

... Petitioners

Versus

STATE OF PUNJAB & ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gourave Bhayyia Gilhotra, Advocate,
for the petitioners.

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

Mr. S.N. Sharma, Advocate,
for respondent No.2.

Mr. B.S. Baath, Advocate,
for the applicants in CRM Nos.127 and 128 of 2017.

HARI PAL VERMA, J. (Oral)

CRM Nos.127 & 128-2017

Learned counsel for the applicants does not press these applications and prays for withdrawal of the same.

Dismissed as withdrawn.

CRM-M-25471-2016

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.47 dated 11.09.2013 under Sections 417, 465, 467, 468, 471, 420, 511, 120-B IPC, registered at Police Station Taragarh, District Pathankot (Annexure P-1) and all subsequent

proceedings arising therefrom on the basis of compromise dated 18.09.2013 and 22.06.2016 (Annexures P-2 & P-3 respectively).

This Court vide order dated 23.11.2016 had directed the parties to appear before the 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, Pathankot and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 05.12.2016 to the effect that the compromise is genuine and the same has been effected voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Sadhu Singh has made his statement with regard to compromise before learned Magistrate on 05.12.2016. The same is reproduced as under:-

“It is stated that I am complainant in case titled as “*State v. Baljit Singh and others*” under FIR No.47 of 11.09.2013 Under Section 417, 465, 467, 468, 471, 511, 120-B IPC, Police Station Taragarh, Pathankot. I have got registered the present FIR in this case. However, now with the intervention of respectables the compromise has effected with the accused namely Baljit Singh, Ranjeet Singh, Gurnam Singh, Balwant Singh, Harbans Singh, Amarjit Singh. The compromise has been effected between me and accused party with the intervention of the respectables. I have no objection if the FIR against the accused persons be quashed. I am giving the above statement out of my sweet will and without any pressure or coercion.

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.47 dated 11.09.2013 under Sections 417, 465, 467, 468, 471, 420, 511, 120-B IPC, registered at Police Station Taragarh, District Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 18.09.2013 and 22.06.2016 (Annexures P-2 & P-3 respectively).

(HARI PAL VERMA)
JUDGE

11.10.2017
sanjeev

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