

245.

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

CRM-M-24738-2017

Date of decision:13.09.2017.

ANADI KANT @ MANU

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Kewal Singh, Advocate,
for the petitioner.

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

None 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.21 dated 19.03.2017 under Sections 379/411 IPC, registered at Police Station Division No.8, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.06.2017 (Annexure P-2).

This Court vide order dated 14.07.2017 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, Ludhiana and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.08.2017 to the effect that the compromise entered into between the parties is genuine and is not the result of any pressure or coercion in any manner.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Rajnish Dhir, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 11.08.2017. The same is reproduced as under:-

“That the above noted case was registered on my statement against accused. Due to the intervention of respectables and family members, we have compromised the matter with each other without any fear or pressure or coercion and with our free consent. I have no objection if the present FIR be quashed. Copy of my Aadhar card is Mark A. Copy of written compromise is Ex.A-1. I identify my signatures on the compromise.”

Learned State counsel has 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.21 dated 19.03.2017 under Sections 379/411 IPC, registered at Police

subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 12.06.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

13.09.2017
sanjeev

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