

250.

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

CRM-M-24943-2017

Date of decision:11.09.2017.

ARVIND SHARMA AND ORS.

... Petitioners

Versus

STATE OF PUNJAB AND ORS.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Raj Karan Singh Verka, Advocate,
for the petitioners.

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

Mr. Neeraj Yadav, 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.114 dated 16.10.2016 under Sections 420/409/467/468/471/120-B IPC, registered at Police Station Payal, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 28.06.2017 (Annexure P-3).

This Court vide order dated 17.07.2017 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 Sub Divisional Judicial Magistrate, Payal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 17.08.2017 to the effect that the compromise has been effected between the parties voluntarily, without any coercion or undue influence and same is genuine one.

Respondent No.2-complainant, namely, Darshan Singh has made his statement with regard to compromise before learned Magistrate on 11.08.2017. The same is reproduced as under:-

“Stated that compromise has been effected between me and Arvind Sharma, Navneet Singh and Amit Bhatia accused persons with the intervention of the respectable persons and relatives. I have no objection if the FIR against the accused persons is quashed. The compromise has been effected by me without any pressure from any person and same is effected voluntarily and without any coercion or undue influence by me.”

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.114

registered at Police Station Payal, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 28.06.2017 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

11.09.2017
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No