

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

244

CRM-M-26012 of 2016 (O&M)

Date of Decision:07.11.2017

Lakhwinder Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.**

**Present: Mr. G.S.Rawat, Advocate,  
for the petitioners.**

**Mr. M.S.Nagra, A.A.G., Punjab.**

**Mr. Deepak Arora, Advocate,  
for respondent Nos.2 to 4.**

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**HARI PAL VERMA, J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.168 dated 29.07.2013 under Sections 420, 468, 467, 471, 120B IPC, registered at Police Station Beas, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

Learned counsel for the petitioner states that in the present case, FIR was registered at the behest of Sajjan Singh, who was otherwise power of attorney holder of Baljit Singh and Pritam Kaur (respondent Nos.2 and 3). Therefore, he was competent to file the present petition. He is ordered to be impleaded as respondent No.4 in the petition.

CRM-4509-2017 stands disposed of accordingly.

This Court vide order dated 01.08.2016 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, Baba Bakala Sahib and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 09.09.2016 to the effect that the parties have compromised the matter with the intervention of the respectables and the compromise has been effected between the parties voluntarily, out of their free will and without any pressure or coercion.

Respondent No.4-Complainant, namely, Sajjan Singh, has made a statement with regard to compromise before learned Magistrate on 06.09.2016. The same is reproduced as under:-

*“The present case has been registered on my statement. I am power attorney holder of Baljit Singh and Pritam Kaur. FIR was registered against eight accused namely Lakhwinder Singh, Joginder Singh, Balwinder Singh sons of Shingara Singh, Gurdeep Kaur wife of Shingara Singh, Kashmir Kaur d/o Shingara Singh, Hoshier Singh son of Makhtool Singh, Dalbir Singh son of Ajit Singh and Baljinder Singh. I am authorized to compromise the matter on behalf of Baljit Singh and Pritam Kaur. Being attorney of abovesaid Baljit Singh and Pritam Kaur and being complainant in the present case have compromised the matter with the above said accused persons with the intervention of respectable persons of the village. I have no objection if the FIR No.168 of 2013 and subsequent proceedings arising*

*out of said FIR registered at Police Station Beas are quashed by the Hon'ble High Court. I do not want to take further action against the accused. I have made the statement out of my own free will, without any threat or pressure. No accused is P.O. in the present case.”*

Learned State counsel as well as learned counsel for respondent Nos.2 to 4 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 FIR No.168 dated 29.07.2013 under Sections 420, 468, 467, 471, 120B IPC, registered at Police Station Beas, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise (Annexure P-2).

November 07, 2017  
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(HARI PAL VERMA)  
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No