

In the High Court of Punjab and Haryana at Chandigarh

Criminal Misc. No. M-25580 of 2017

Date of Decision: 18.9.2017

Inderjit Singh and another

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. A.S.Sandhu, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

None for respondent No. 2.

HARI PAL VERMA, J. (ORAL)

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of F.I.R. No. 88 dated 30.9.2016 under Section 420, 120-B IPC, registered at Police Station Koom Kalan, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated July 19, 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

between the parties is a result of free volition of the parties and without any inducement, coercion or undue influence.

Though no one has put in appearance on behalf of respondent No. 2-complainant, namely, Gurmail Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 17.08.2017. The same is reproduced as under:-

“Stated that I have compromised the matter with the accused Inderjit Singh, Navneet Kaur and Gurmukh Singh in the FIR No. 88 dated 30.9.2016 u/s 420, 120-B IPC, PS Koom Kalan Ludhiana. The said compromise between me and the said accused is genuine, voluntary without any pressure, coercion or undue influence. In this FIR there are total three accused Navneet Kaur, Inderjit Singh and Gurmukh Singh. I have not lodged any other complaint or FIR against the present accused, except the present FIR. I have no objection if the said FIR is quashed.”

Learned State counsel does not dispute 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 the F.I.R. No. 88 dated 30.9.2016 under Section 420, 120-B IPC, registered at Police Station Koom Kalan,

District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise.

(HARI PAL VERMA)
JUDGE

September 18, 2017
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No