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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 27456 of 2017
Date of Decision: 01.11.2017

Pavittar Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sherry K.Singla, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in impugned F.I.R. No. 5, dated 07.01.2016, under Sections 279 and 427 and offences under Sections 466, 468 and 471 of the Indian Penal Code, registered at Police Station Amargarh, District Sangrur, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise/Affidavit (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Civil Judge (Junior Division)-cum-Judicial

Magistrate Ist Class, Malerkotla (Sangrur), vide report dated 21.09.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is not present nor he is represented by his counsel. However, he has made a statement on 19.09.2017, before the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Malerkotla (Sangrur), whereby he has admitted the factum of compromise with the accused person voluntarily and without any pressure, coercion or undue influence.

[4]. In view of the report of the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Malerkotla (Sangrur), and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. impugned F.I.R. No. 5, dated 07.01.2016, under Sections 279 and 427 and offences under Sections 466, 468 and 471 of the Indian Penal Code, registered at Police Station Amargarh, District Sangrur, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

01.11.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

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|---------------------------------|---------|
| 1. Whether speaking/ reasoned : | Yes/ No |
| 2. Whether reportable : | Yes/ No |