

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

242

CRM-M-28853 of 2017

Date of Decision:21.12.2017

Prabhjot Singh & others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. Prashant Vashisth, Advocate,
for the petitioners.**

**Mr. Bhupender Beniwal, A.A.G., 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 FIR No.107 dated 11.07.2014 under Sections 201, 420, 406, 506, 120-B IPC, registered at Police Station Division No.7, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/statements dated 04.12.2015 (Annexure P-2).

Learned counsel for the petitioners states that as directed by this Court vide order dated 10.10.2017, costs of ₹5,000/- have been deposited with the High Court Lawyers' Welfare Fund and the receipt thereof has been presented before the trial court. It is only thereafter, statements of the parties were recorded.

This Court vide order dated 08.08.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court on 01.09.2017 to get their

statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise. However, parties could not appear on the said date. Consequently, vide order dated 10.10.2017, another opportunity was granted to the parties to get their statements recorded in terms of order dated 08.08.2017 passed by this Court, subject to payment of costs of ₹5,000/-.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.12.2017 to the effect that the parties have compromised the matter. The compromise is genuine and without any pressure or coercion.

Though none has put in appearance on Respondent No.2-Complainant, namely, Kishore Kumar Kalra, but no prejudice would be caused to him as he has already made a statement with regard to compromise before learned Magistrate on 06.11.2017. The same is reproduced as under:-

“Stated that I Kishor Kumar Kalra, S/o Jogdhyan have entered into a compromise with the intervention of respectable persons with the accused Prabhjot Singh S/o Paramjit Singh, Inderpreet Singh S/o Paramjit Singh and Paramjit Singh S/o Joginder Singh R/o H. No.3651, Sector 32 A Ludhiana presently living in H. No.2231, Sector 32 A Chandigarh Road Ludhiana. I shall remain bound by the terms and conditions mentioned in the compromise. I have entered into the present compromise with the above said accused voluntarily, with my own free will, without any fear, coercion and undue influence. I have no objection if the offence in FIR No.107 dated 11.07.2014 u/Ss 406, 420,

506, 201 and 120 B IPC P.S. Div. No.7, Ludhiana may kindly be quashed by the Hon'ble Punjab & Haryana High Court.”

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 FIR No.107 dated 11.07.2014 under Sections 201, 420, 406, 506, 120-B IPC, registered at Police Station Division No.7, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/statements dated 04.12.2015 (Annexure P-2).

December 21, 2017
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No