

242-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.28876 of 2015 (O&M)
Date of Decision: 21.11.2017

Harbans Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Ashish Aggarwal, Advocate, for
Mr. Gursimran Singh Bhatia, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab,
for respondent No.1.

Mr. Vikas Gupta, Advocate, for
Mr. Vivek Salathia, Advocate,
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 170, dated 18.08.2009, under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station B-Division, Amritsar City, District Amritsar, (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 (Annexure P-7), 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 Judicial Magistrate Ist Class, Amritsar, vide report dated 26.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is represented by his counsel and he does not oppose the compromise.

[4]. In view of the report of the Judicial Magistrate Ist Class, Amritsar, 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. F.I.R. No. 170, dated 18.08.2009, under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station B-Division, Amritsar City, District Amritsar, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

21.11.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No