

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

**CRM-M No.30395 of 2017
Date of Decision.30.10.2017**

Amandeep Singh and another

.....Petitioners

Vs

The State of Punjab and another

.....Respondents

Present: Mr. Pardeep Kumar, Advocate
for the petitioners.

Mr. Bhupinder Beniwal, AAG, Punjab.

Mr. Jasdeep Singh, Advocate
for respondent No.2.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

The present petition has been filed for quashing of F.I.R. No.62 dated 7.6.2017 under Sections 406, 420, 120-B IPC registered at Police Station Phase-11, SAS Nagar, Mohali and all subsequent proceedings arising therefrom on the basis of compromise dated 14.08.2017 (Annexure P-2).

This Court vide order dated 21.08.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before the learned Addl. Chief Judicial Magistrate, SAS Nagar (Mohali) and got their statements recorded. On the basis of the statements so recorded, learned Addl. Chief Judicial Magistrate, SAS Nagar (Mohali) has submitted

his report dated 21.10.2017 to the effect that the parties have arrived at a volunteer compromise.

Respondent No.2-complainant, namely, Amrinder Singh has made his statement with regard to compromise before the learned Addl. Chief Judicial Magistrate, SAS Nagar (Mohali) on 27.09.2017. The same is reproduced as under:-

“Stated that with the intervention of respectable/common friends, we have compromised the matter with the accused persons namely Amandeep Singh s/o Iqbal Singh and Iqbal Singh s/o S. Sohan Singh both r/o H.No.2256, Sector 44C, Chandigarh as per compromise dt:14.08.2017. I have seen the photocopy of compromise which bears my signature and its photocopy is Mark A. Only two accused namely Amandeep Singh and Iqbal Singh arrayed as accused in FIR No.62 dt:7.6.2017 u/s 406, 420, 120-B IPC PS Phase 11, Mohali. I received Rs.13 lacs (Rs.8,20,000/- in cash and remaining Rs.4,80,000 through cheque No.942809 dt: 21.09.2017 of Punjab and Sind Bank Rs.1,60,000/- and cheque No.507493 dt 21.09.2017 of Andhra Bank of Rs.3,20,000/-). No accused has been declared PO in this case. The compromise has been effected voluntarily, without any pressure, coercion, misrepresentation or undue influence. I have no objection if the present FIR is quashed.”

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

Since the factum of compromise has also been endorsed by the complainant before the Court below, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Resultantly, this petition is allowed and F.I.R. No.62 dated 7.6.2017 under Sections 406, 420, 120-B IPC registered at Police Station

Phase-11, SAS Nagar, Mohali and all subsequent proceedings arising therefrom are quashed on the basis of compromise dated 14.08.2017 (Annexure P-2).

October 30, 2017
Pankaj*

(AMIT RAWAL)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No