

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

CRM-M-31296-2017

Date of decision:02.11.2017

Chamkaur Singh and others

... Petitioners

Versus

State of Punjab & another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Amjad Khan, Advocate,
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

None for the respondent No.2-complainant.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.408 dated 14.12.2016 under Sections 420/120-B IPC registered at Police Station City Sangrur, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 03.04.2017 (Annexure P-2).

This Court vide order dated 25.08.2017 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 Chief Judicial Magistrate, Sangrur and got their statements recorded. On the basis of the statements so recorded, learned

Chief Judicial Magistrate has submitted report dated 29.09.2017 to the effect that the parties have arrived at a compromise voluntarily.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Harwinder Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Chief Judicial Magistrate on 26.09.2017. The same is reproduced as under:-

“I have got registered F.I.R. no. 408 dated 14.12.2016, under Sections 420 and 120-B IPC, Police Station City, Sangrur against accused Chamkaur Singh, Sukhpal Kaur, Harpreet Kaur, Gopi and Gobind Singh. I have compromised the matter voluntarily with accused Chamkaur Singh, Sukhpal Kaur, Harpreet Kaur, Gopi and Gobind Singh without any threat, coercion or undue influence. As per compromise, I had already received Rs. 1,75,000/- from the accused and remaining amount of Rs.1,81,000/- has been received by me today in the Court from the accused. I have no objection if the F.I.R. in question is quashed against accused Chamkaur Singh, Sukhpal Kaur, Harpreet Kaur, Gopi and Gobind Singh.”

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 F.I.R. No.408 dated 14.12.2016 under Sections 420/120-B IPC registered at Police

subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 03.04.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

02.11.2017
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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No