

254.

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

**CRM-M-31364-2017**

Date of decision:01.11.2017

NATHANIEL AND ANOTHER

... Petitioners

versus

STATE OF PUNJAB AND OTHERS

.... Respondents

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

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Present: Ms. Maninderpreet Kaur, Advocate, for  
Mr. Rajeev K. Kapila, Advocate,  
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab,  
for respondent No.1.

Ms. Suminderdeep Kaur, Advocate,  
for respondents No.2 & 3.

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**HARI PAL VERMA, J.** (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.110 dated 24.06.2017 under Sections 420, 120 IPC, registered at Police Station Mukerian, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of statement dated 21.02.2017 made by respondent No.2- Manisha Thakur before the trial Court (Annexure P-2).

This Court vide order dated 24.08.2017 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 Sub Divisional Judicial Magistrate, Mukerian and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.10.2017.

Respondent No.2-complainant, namely, Manisha Thakur has made her statement with regard to compromise before learned Magistrate on 25.09.2017. The same is reproduced as under:-

“That with the intervention of the respectables of the area, I have entered into a compromise with the accused/petitioner no.1 Nathaniel aged 40 years son of Salamat Masih and accused/petitioner no.2 Thomas aged 31 years son of Kashmir Masih, both r/o H.No.834, Garden Colony, Sector 11 Mohali, Distt. S.A.S. Nagar Mohali without any pressure. Petition under Section 482 Cr.P.C. in the Hon'ble Punjab and Haryana High Court for the quashing of FIR No.110 dated 24.06.2017 under sections 420, 120 IPC PS Mukerian has been filed. I have no objection if FIR No.110 dated 24.06.2017 under sections 420, 120 IPC PS Mukerian may be quashed.”

Learned counsel for respondent No.2 and 3 further states that the statement of respondent No.3-Manu Salaria is not required as respondent No.2 has been authorized to make a statement on his behalf, that he (respondent No.3) has no objection if the FIR in question is quashed.

Learned State counsel, on instructions from ASI Sukhdev Singh, states that the matter has been compromised 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

**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.110 dated 24.06.2017 under Sections 420, 120 IPC, registered at Police Station Mukerian, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of statement dated 21.02.2017 made by respondent No.2-Manisha Thakur before the trial Court (Annexure P-2).

**(HARI PAL VERMA)**  
**JUDGE**

01.11.2017  
sanjeev

Whether speaking/reasoned? Yes/No  
Whether reportable? Yes/No