

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-34905-2016

Date of Decision: 10.01.2017

Rakesh Kumar

.....Petitioner

vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jatinder Singh Gill, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, D.A.G., Punjab.

Mr. Vinay Malhotra, Advocate,
for respondent no. 2.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, quashing of FIR No. 106 dated 29.10.2015, registered against the petitioner at Police Station Kanwan, District Pathankot, for the alleged commission of offences punishable under Sections 457/380 IPC, is sought to be quashed on the basis of a compromise arrived at between the petitioner-accused and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 28.09.2016, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Chief Judicial Magistrate, Pathankot, has been sent to this Court, in which it is

stated that the complainant-respondent no. 2 and the accused-petitioner have

both suffered statements to the effect that the matter has been compromised without any fear or pressure on either of them.

In view of the above and keeping in view the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, in the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No. 106 dated 29.10.2015, registered against the petitioner at Police Station Kanwan, District Pathankot, for the alleged commission of offences punishable under Sections 457/380 IPC, along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

January 10, 2017
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Whether speaking/reasoned	Yes
Whether Reportable	No.