

202/A.

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

CRM-M-38080-2017

Date of decision:11.12.2017.

PARDEEP KUMAR AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sunny K. Singla, Advocate,
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab,
for respondent No.1.

Mr. Varinder Singh, Advocate,
for respondents No.2 & 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.77 dated 09.07.2016 under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station Amargarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise deed/affidavit dated 14.08.2017 and 06.10.2017 (Annexures P-2 and P-3 respectively).

This Court vide order dated 10.10.2017 had directed the parties to appear before the trial Court/Area Judicial Magistrate 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 Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class,

Malerkotla (Sangrur) and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.11.2017 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

Respondents No.2 & 3-complainants, namely, Sandeep Goyal and Harish Goyal have made a joint statement with regard to compromise before learned Magistrate on 18.11.2017. The same is reproduced as under:-

“We have compromised the matter with the accused persons namely Pardeep Kumar son of Sh. Sarvan Kumar, Sushil Kumar Bedi son of Daulat Ram, Mandeep Singh son of Sh. Amarjit Singh and Deepak Kumar son of Sh. Jai Ram Parkash in case FIR No.77 dated 09.07.2016 Under Sections 420/467/468/471/120-B IPC Police Station Amargarh District Sangrur without any pressure, coercion, undue influence, voluntary, genuine and with the help of respectable persons. There are total four accused who are facing trial and no person is declared as proclaimed absconder in present case. The case is at the stage of awaiting challan. We have no objection if the present FIR is quashed against the accused persons. No other criminal case is pending between us. The quashing petition may kindly be accepted and the above mentioned FIR and other consequential proceedings may kindly be quashed.”

Learned State counsel as well as learned counsel for respondents No.2 & 3 have 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.77 dated 09.07.2016 under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station Amargarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise deed/affidavit dated 14.08.2017 and 06.10.2017 (Annexures P-2 and P-3 respectively).

(HARI PAL VERMA)
JUDGE

11.12.2017
sanjeev

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