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

CRM-M-38500-2017

Date of decision:15.12.2017.

ASHOK KUMAR

... Petitioner

Versus

STATE OF PUNJAB & ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Shashank Sharma, Advocate,
for the petitioner.

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

Ms. Suman Sharma, Advocate, for
Mr. Arnav Sood, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.4 dated 04.01.2017 under Section 420 IPC, Police Station Balachaur, District Shaheed Bhagat Singh Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 06.10.2017 (Annexure P-2).

This Court vide order dated 11.10.2017 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, Balachaur (S.B.S.Nagar) and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.11.2017 to the effect that the compromise has been effected between the parties voluntarily and with their free will.

Respondent No.2-complainant, namely, Surinder Singh has made his statement with regard to compromise before learned Magistrate on 10.11.2017. The same is reproduced as under:-

“I have come present as directed by Hon'ble Punjab and Haryana High Court vide order dated 11.10.2017 in CRM No.38500 of 2017 to get my statement recorded in FIR no.04 of 04.01.2007 under section 420 of Indian Penal Code P.S. Balachaur.

A FIR no.04 of 04.01.2007 under section 420 of Indian Penal Code P.S. Balachaur, District Shaheed Bhagat Singh Nagar was registered against the accused Ashok Kumar son of Sarwan Kumar resident of Teacher colony, Balachaur, District Shaheed Bhagat Singh Nagar on my statement.

With the intervention of respectables of locality and family members, I have compromised the dispute with the accused Ashok Kumar. A separate compromise deed already tendered in the Hon'ble High Court. I am making this statement voluntarily without any pressure. I have no objection if the FIR be quashed.”

Learned State counsel as well as learned counsel for respondent No.2 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.4 dated 04.01.2017 under
Section 420 IPC, Police Station Balachaur, District Shaheed Bhagat Singh
Nagar (Annexure P-1) and all subsequent proceedings arising therefrom are
quashed qua the petitioner on the basis of compromise dated 06.10.2017
(Annexure P-2).

(HARI PAL VERMA)
JUDGE

15.12.2017
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No