

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

**CRM-M-40278-2016
Date of decision-11.08.2017**

Amandeep Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

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

Present: Mr. Saurabh Kapoor, Advocate for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

None for the complainant/respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure is for quashing of FIR No.112 dated 04.10.2014 registered under Sections 419/420/467/468/471/120-B and 380 of Indian Penal Code (in short 'IPC') at Police Station Division No.1, Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2016 (Annexure P-3).

This Court vide order dated 27.02.2017 had directed the parties to appear before the 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 Judicial Magistrate Ist Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 11.04.2017 to the effect that the compromise effected

between the parties is genuine, voluntary, without any threat or coercion.

Though today none has put in appearance on behalf of respondent No.2/complainant, namely, Harmeet Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 08.03.2017. The same is reproduced as under:-

“Stated that FIR No.112 dated 04.10.14 was registered under Sections 419, 420, 467, 468, 471, 380, 120-B IPC on my statement against accused at Police Station Division No.1 Ludhiana. The police has not presented the charge-sheet in the above said FIR till today. The accused Amar Singh Numberdar has been died about year back and this fact is within my knowledge. Now with the intervention of respectable of locality compromise has been effected between the parties which was reduced in writing in the shape of compromise deed. Copy of which has already been in the Hon'ble Punjab and Haryana High Court along with petition. The said compromise has been effected between the parties with their free volition and without any coercion or undue influence of any person. The parties have already approached the Hon'ble Punjab and Haryana High Court for quashing of present FIR. I have no objection if the present FIR be disposed off in view of compromise effected between the parties.

RO& AC

Sd/-

(Harmeet Singh Sohanpal)

Sd/-

(Varinder Kumar), PCS

JMIC/Ldh/ 08.03.2017”

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 FIR.

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 FIR No.112 dated 04.10.2014 registered under Sections 419/420/467/468/471/120-B and 380 of IPC at Police Station Division No.1, Ludhiana and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 27.09.2016 (Annexure P-3)

August 11, 2017
vanita

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No