

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

256

CRM-M-40382 of 2017

Date of Decision:20.12.2017

Kapil Kaushal and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. Yashveer Kharb, Advocate,
for the petitioners.**

**Mr. M.S.Nagra, A.A.G., Punjab,
for respondent No.1.**

**Mr. Tarun Singla, 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 FIR No.175 dated 19.08.2017 under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Civil Lines, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise-deed dated 02.09.2017 (Annexure P-2).

This Court vide order dated 30.10.2017 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 Chief Judicial Magistrate, Bathinda and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 16.11.2017 to the effect that the compromise effected between the parties appears to be valid, genuine, voluntary and without any pressure.

Respondent No.2-Complainant, namely, Ram Sarup Mangla, has made a statement with regard to compromise before learned Magistrate on 15.11.2017. The same is reproduced as under:-

“Stated that I am the complainant in case FIR No.175 dated 19.08.2017 under Section 420, 465, 467, 468, 471 & 120-B IPC registered at Police Station Civil Lines, Bathinda, District Bathinda. I have compromised with the accused Kapil Kaushal, Deepak Sharma and Raju Bista. I have effected the compromise with accused persons voluntarily, without any undue pressure or coercion. I have no objection if the present FIR registered against the above said accused is quashed. I produce on record photo stat copy of my Driving license signed by me. ”

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 FIR No.175 dated 19.08.2017 under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police

Station Civil Lines, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise-deed dated 02.09.2017 (Annexure P-2).

December 20, 2017
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(HARI PAL VERMA)
JUDGE

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