
Date of Decision:12.10.2017

Vs.

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

Pursuant to the order dated 03.05.2017, the 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 14.06.2017 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Though none has put in appearance on behalf of Respondent No.2-complainant, namely, Omi Ram but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 31.05.2017. The same is reproduced as under:-

“Stated that FIR of this case was registered against accused/ petitioner namely Rajinder Singh son of Gurmail Singh on my complaint. I have effected a compromise with the accused/ petitioner. I have brought the notary attested copy of Panchayati compromise dated 25.10.2016 and the copy of same is Mark-PX. I identify my signature over the same. Now I do not want to proceed with present case against the petitioner and I have no objection if FIR No.83 dated 24.5.2016, under Section 420 IPC, P.S. Civil Lines, Bathinda is quashed against the petitioner. The compromise has been effected with the intervention of respectables. Now I have no grudge against the accused/ petitioner. Compromise has been effected without any pressure, undue influence or coercion. I produce on record self attested copy of my Adhaar Card as proof of my identity.”

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 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.83 dated 24.05.2016 under Section 420 IPC, registered at Police Station Civil Lines, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 07.11.2016 (Annexure P-2).

October 12, 2017
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(HARI PAL VERMA)
JUDGE

Whether Speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No