

235.

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

**CRM-M-5836-2016**

Date of decision:12.07.2017

DEEPAK WALIA

... Petitioner

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

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

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Present: Mr. Ravish Bansal, Advocate,  
for the petitioner.

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

Mr. Ankush Singla, Advocate,  
for Ms. Vaishali Singla, Advocate,  
for respondent No.2.

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**HARI PAL VERMA, J.** (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.190 dated 16.12.2015 under Sections 420, 406 IPC, registered at Police Station Civil Lines, Bathinda, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 22.12.2015 (Annexure P-2).

This Court vide order dated 27.03.2017 had directed the parties to appear before the Illaqa 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 Chief Judicial Magistrate, Bathinda and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 01.05.2017 to the effect that the compromise effected between the complainant and accused person appears to be genuine and voluntary.

Respondent No.2-complainant, namely, Prem Singh has made his statement with regard to compromise before learned Magistrate on 25.04.2017. The same is reproduced as under:-

“Stated that FIR of this case was registered against accused/petitioner namely Deepak Walia son of Puran Chand on my complaint. I have effected a compromise with the accused/petitioner. Now I do not want to proceed with present case against the petitioner and I have no objection if FIR No.190 dated 16.12.2015, under section 420, 406 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.”

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.190 dated 16.12.2015 under Sections 420, 406 IPC, registered at Police Station Civil Lines, Bathinda, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 22.12.2015 (Annexure P-2).

**(HARI PAL VERMA)**  
**JUDGE**

12.07.2017  
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Whether speaking/reasoned? Yes/No  
Whether reportable? Yes/No