

250 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 6947 of 2017
Date of Decision: 28.08.2017**

Anil Kumar Garg

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Jawaharlal Goyal, Advocate, for
 Mr. Vivek Aggarwal, Advocate,
 for the petitioner.

Mr. S.S. Cheema, A.A.G., Punjab.

Mr. S.K. Gupta, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 33, dated 20.03.2012, under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Kurali, District S.A.S. Nagar, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Additional Chief Judicial Magistrate, Rupnagar, on the basis of compromise.

[2]. During pendency of petition, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which

is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Additional Chief Judicial Magistrate, Rupnagar, vide report dated 21.04.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is represented by his counsel. Respondents No. 3 to 5 are not present nor they are represented by any counsel. However, they have made a joint statement on 08.03.2017, before the Additional Chief Judicial Magistrate, Rupnagar, whereby they have admitted the factum of compromise with the accused and deposed that the compromise has been arrived at with the complainant with free will and without any pressure or influence from any corner.

[4]. In view of the report of the Additional Chief Judicial Magistrate, Rupnagar, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 33, dated 20.03.2012, under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Kurali, District

S.A.S. Nagar, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

28.08.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No