

260.

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

CRM-M-10152-2018

Date of decision:09.07.2018.

AVKAR SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Simranjit Singh, Advocate,
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab,
for respondent No.1.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.200 dated 08.11.2016 under Sections 420, 34 IPC, registered at Police Station Civil Lines, Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.02.2018 (Annexure P-2).

This Court vide order dated 12.03.2018 had directed the parties to appear before the trial Court/Illaq 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 Additional Chief Judicial Magistrate, Bathinda and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 05.04.2018 to the effect that the compromise has been effected between the parties voluntarily, without any undue pressure, threat or coercion.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Parveen Kumar, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 04.04.2018. The same is reproduced as under:-

“Stated that above said FIR was registered on my statement against Avkar Singh aged about 38 years son of Nachhattar Singh son of Gurnam Singh, Ward No.3, Saundi Mohalla, Bhikhiwind, District Taran Taran. Now on the intervention of respectables of the society and relatives a compromise has been effected with the accused without any coercion or any pressure. I do not want to proceed further with the present FIR. I have no objection if the above said FIR is quashed. Photo copy of my adhar card Ex.P1.”

Learned State counsel, on instructions from HC Mandeep Singh, 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.200 dated 08.11.2016 under

(Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 19.02.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

09.07.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No