

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

**CRM-M-11468-2017
Date of decision:14.3.2018**

Gurdev Singh and another

.....Petitioners

Versus

The State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kulwant Singh, Advocate
for the petitioners.

Mr. Harbir Singh Sandhu, AAG, Punjab
for respondent No.1.

Mr. Vijay K. Kajla, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No. 186 dated 2.9.2015, under Section 379 Indian Penal Code ('IPC' - for short) registered at Police Station Sadar Jagraon, District Ludhiana Rural on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 3.4.2017 to appear before the learned Illaqa Magistrate/trial Court and get

their statements recorded and in pursuance thereof, learned Sub-Divisional Judicial Magistrate, Jagraon, recorded the statements of both the parties and submitted a report dated 27.4.2017, which reads as under:-

“Papers have been put up before me today pursuant to application moved by accused Gurdev Singh and Sukhchain Singh, supported by copy of order dated 3.4.2017 passed by Hon'ble High Court in CRM-M-11468-2017, vide which, parties in the matter have been directed to appear before this Court and to record their statements. Accordingly, Paramjit Singh-complainant has recorded his statement as regards amicable settlement of present matter pertaining to FIR No.186 dated 2.9.2015 of Police Station Sadar Jagraon with accused Gurdev Singh and Sukhchain Singh, who have also recorded their joint statement to this effect. Accordingly, this Court is satisfied that matter has been compromised voluntarily between the parties and that there is no pressure or coercion on any party to effect the compromise.”

A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. Both the parties are neighbourers and allegations in the present case are that the petitioners have stolen some bricks from the plot of the complainant-respondent No.2. It is stated before this Court that the FIR was lodged on account of some misunderstanding.

5. No objection has been raised by the learned State counsel on instructions from HC Chamkaur Singh on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

6. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and did not affect any public peace or tranquillity and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the aforesaid FIR and all consequential proceedings resulting therefrom are quashed qua petitioners.

7. Petition is allowed.

**(MAHABIR SINGH SINDHU)
JUDGE**

14.3.2018
Gaurav Sorot

- | | | |
|----|------------------------------|------------|
| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |