

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

257

CRM-M-12449-2017

Date of Decision:20.07.2018

**Manpreet Singh @ Bittu
Kang and others**

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. Arshdeep Singh Brar, Advocate,
for the petitioners.**

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

**Mr. Vishal R. Lamba, Advocate,
for respondent No.2.**

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.13 dated 12.02.2015 under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Kot Ise Khan, District Moga (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 09.03.2017 (Annexure P-2).

This Court vide order dated 18.04.2017 had directed the parties to appear before the Illaqa Magistrate/concerned Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise, however, parties could not appear. Again vide order dated 22.05.2017, another opportunity was granted

to the parties to get their statements recorded in terms of the order dated 18.04.2017.

Pursuant to the aforesaid order, parties have appeared before learned Addl. Chief Judicial Magistrate, Moga and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 10.07.2017 to the effect that the parties have compromised the matter. The compromise seems to be genuine and without any pressure or coercion and the complainant has no objection if the FIR in question is quashed.

Respondent No.2-Complainant, namely, Surinder Pal, has made a statement with regard to compromise before learned Magistrate on 31.05.2017. The same is reproduced as under:-

“Stated that FIR No.13 dated 12.02.2015 under Sections 420, 465, 467, 468, 471, 120-B IPC, Police Station Kot Ise Khan was registered against the accused persons at my instance. Now we have effected compromise with the intervention of respectable. We have compromised the matter voluntarily, without any coercion or undue influence and with our own sweet will. I have no objection if the accused are acquitted in this case. No accused has been declared proclaimed offender in this case.”

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

10 SCC 303, this petition is allowed and FIR No.13 dated 12.02.2015 under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Kot Ise Khan, District Moga (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 09.03.2017 (Annexure P-2).

July 20, 2018
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No