

In the High Court of Punjab and Haryana at Chandigarh

CRM M-14194 of 2016 (O&M)

Date of Decision: July 18, 2018

Balbir Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Gagandeep Singh Simble, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

None for respondent no.2.

P.B. Bajanthri, J. (Oral)

1. Reply by way of short affidavit of Mr. Harinder Singh, PPS, Deputy Superintendent of Police, Sub Division Dera Baba Nanak, Police District Batala on behalf of respondent no.1 filed in Court today, is taken on record.

2. In the present petition, petitioner is seeking quashing of FIR No. 11, dated 09.03.2008, under Sections 465/469/471/474/477/182 of IPC, registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur along with all subsequent proceedings arising therefrom, on the basis of compromise dated 22.03.2016 (Annexure P/2).

3. This Court while ordering notice of motion, had directed the parties to appear before the trial Court for the purpose of recording their statements with regard to veracity of the compromise. The Judicial Magistrate First Class, Batala has sent his report dated 19.05.2016 wherein

it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any fear or undue influence.

4. In view of the law laid down in *Narinder Singh vs. State of Punjab* reported in (2014) 6 SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, present petition is allowed and FIR No. 11, dated 09.03.2008, under Sections 465/469/471/474/477/182 of IPC, registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur (Annexure P/1) along with all subsequent proceedings arising therefrom, are hereby set aside.

5. Petitioner is liable to pay litigation cost of Rs. 5000/- to the Treasury, State of Punjab within a period of two months from today.

July 18, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No