

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

**Criminal Misc. No.M-15348 of 2018
Date of Decision: 11.07.2018**

Rajinder Singh Dhanoa

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

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

Present:- Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. G.S. Rawat, 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.191 dated 14.11.2017 under Sections 406 and 420 IPC registered at P.S. Garhshankar, District Hoshiarpur (Annexure P-1) and consequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

This Court vide order 18.04.2018 had directed the parties to appear before the Illaqa Magistrate to get their statements recorded with regard to compromise so arrived and learned Illaqa Magistrate was directed

to submit its report regarding the genuineness of the compromise so effected on the basis of statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before Sub Divisional Judicial Magistrate, Garhshankar and got their statements recorded. Learned Magistrate has forwarded her report dated 05.05.2018 to the effect that the compromise has been arrived at genuinely and voluntarily without any pressure or coercion. The statement of Kulvir Singh, complainant reads as under:-

“Stated that I have compromised the matter in dispute vide compromise deed dated 6.4.2018 with the accused namely Rajinder Singh Dhanoa Singh S/o Jaspal Singh R/o Village Chandpur, PO Patara, Tehsil and Distt. Jalandhar. voluntarily and I have not exerted any coercion, inducement, threat or pressure. I have already received Rs.6,00,0000/- from accused vide DD No.000414 dated 6.4.2018 as full and final settlement. In view of the compromise above said FIR no.191 dated 14.11.2017 U/Ss 406, 420 of IPC may kindly be quashed.”

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1152 (P&H), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)11 SCC 303, this petition is allowed and FIR No.191 dated 14.11.2017 under Sections 406, 420 IPC registered at P.S.

Garhshankar, District Hoshiarpur and the consequent proceedings arising therefrom are quashed *qua* the petitioner, on the basis of compromise (Annexure P-2).

July 11, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No`