

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

CRM-M-15764-2018
Date of decision:12.07.2018

Arshdeep Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Raman Mohinder Sharma, Advocate
for the petitioners.

Ms. Ruchi Sabherwal, AAG, Punjab
for respondent No.1.

Mr. Deshpreet Singh, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of FIR No.205 dated 23.11.2017 under Sections 406, 417, 420, 465, 468, 471/120-B of the Indian Penal Code, 1860 Police Station City-1, Abohar, District Fazilka and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 19.04.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded.

Report of learned Sub-Divisional Judicial Magistrate, Abohar has been received, in which it had been reported that he had recorded statements of complainant-Gurpreet Singh and of petitioners-Arshdeep Singh, Iqbal Singh and Harmeet Singh, besides statement of

ASI Hans Raj. The complainant has stated that the FIR in question was registered at his instance against Arashdeep Singh, Iqbal Singh, Harmeet Singh, Anil Bhuria, Rajesh Kumar, Kaptain Singh and Ratti Pal and that he had compromised the matter with all the accused persons out of his own free will and without any pressure and that he has no objection if the FIR is quashed against all the accused. It has specifically been opined by learned Sub-Divisional Judicial Magistrate, Abohar that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

Though I find that the present petition has been filed only on behalf of three accused whereas there are seven accused as per FIR, but the complainant-Gurpreet Singh has categorically stated that he has compromised the matter with all the seven accused.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition stands allowed and FIR No.205 dated 23.11.2017 under Sections 406, 417, 420, 465, 468, 471/120-B of the Indian Penal Code, 1860, Police Station City-1, Abohar, District Fazilka and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

12.07.2018
Gaurav Sorot

Whether reportable? Yes / No

Whether reasoned / speaking? Yes / No