

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-16291-2018

Date of decision: August 6, 2018

Budh Parkash and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ajay Pal Singh, Advocate,
for the petitioners.

Mr. Tanvir Joshi, AAG., Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No. 276 dated 28.8.2017 registered under Sections 420, 406, 120-B IPC at Police Station Sadar Nakodar, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 4.4.2018 (Annexure P-2).

This Court vide order dated 20.4.2018 had directed the parties to appear before the learned Illaqa Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before the Sub Divisional Judicial Magistrate, Nakodar and got their statements recorded. On the basis of the statements so recorded, learned Sub

to the effect that the compromise effected between the parties is genuine and voluntary.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Parkash Kaur, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Sub Divisional Judicial Magistrate, Nakodar on 5.5.2018. the same is reproduced as under:-

“I have come present in pursuance of order dated 20.4.2018 in CRM-M No. 16291 of 2018 of Hon'ble High Court to record our statement. I have entered into a compromise with the 1 Budh Parkash Singh age about 32 years S/o Sadhu Singh 2. Rashpinder Kaur age about 24 years W/o Budh Parkash Singh 3. Mohinder Kaur, Age about 60 years, W/o Sadhu Singh all residents of Mohalla Sufi, Railway Road, Nakodar, PS City Nakodar, District Jalandhar in case FIR No. 276 dated 28.8.2017, under Sections 406, 420, 120-B of Indian Penal Code, PS Sadar Nakodar got registered by me with my free will without any kind of pressure. Copy of compromise entered between me and them already tendered before Hon'ble High Court. I will remain bound by compromise tendered before Hon'ble High Court. I pray that FIR against them may kindly be quashed.”

Learned State counsel has 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 Vs. State of Punjab and another 2007 (3) RCR (Criminal)1052** and approved by the Hon'ble

SCC 303, this petition is allowed and F.I.R.No.276 dated 28.8.2017 registered under Sections 420, 406, 120-B IPC at Police Station Sadar Nakodar, District Jalandhar(Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 4.4.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

August 6, 2018
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No