

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

CRM-M-18388 of 2018

Date of decision: August 6, 2018

Puneet Kumar and another

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Hitesh Pandit, 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. 103 dated 15/16.11.2016 registered under Sections 177, 420, 120-B, 465, 467, 468, 471 IPC at Police Station Division No.8, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 24.5.2017 (Annexure P-2).

This Court vide order dated 3.5.2018 had directed the parties to appear before the learned trial Court to get their statements recorded and the trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before the Judicial Magistrate, First Class, Ludhiana and got their statements

has submitted report dated 8.6.2018 to the effect that the compromise effected between the parties is genuine, voluntary and without any coercion or fraud.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Rajinder Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Judicial Magistrate, First Class, Ludhiana on 25.5.2018. the same is reproduced as under:-

“Stated that the present FIR was registered at my instance against Puneet Kumar son of Rachpal Sharma r/o Village Rurka District Ludhiana, Ajay Kumar son of Ramesh Kumar R/o 141 street No.1 Tibba Road, Punjabi Bagh Ludhiana, Happy son of not known R/o Punjab Mata Nagar, Ludhiana, one Impersonator of Rajinder Kaur whose particulars are not known to me and one Harpreet Singh. That with the intervention of the respectables and friends I have compromised the subject matter of the FIR only with Puneet Kumar and Ajay Kumar and not with the remaining accused. That I have no objection if above said FIR against accused Puneet Kumar and Ajay Kumar is quashed. That I have entered into compromise with Puneet Kumar and Ajay Kumar out of my free will and consent and without any pressure, coercion and fraud. I have brought my original adhar card today in the court and self attested copy of the same is Ex. PA.”

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

another 2007 (3) RCR (Criminal)1052 and approved by the Hon'ble Supreme Court in Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303, this petition is allowed and F.I.R. No. 103 dated 15/16.11.2016 registered under Sections 177, 420, 120-B, 465, 467, 468, 471 IPC at Police Station Division No. 8, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 24.5.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

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