

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-19327-2016 (O&M)

Date of decision:- 30.04.2018

Manpreet Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Avinash Mandla, Advocate, for the petitioner.

Mr. Amitoj S. Dhaliwal, DAG, Punjab.

Ms. Raj Pal Kaur, Advocate, for respondent No.2.

\*\*\*\*

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.58 dated 11.04.2016, under Sections 406 and 420 IPC, registered at Police Station Phase-I, SAS Nagar, Mohali, on the basis of compromise entered into between the parties.

2. In terms of orders dated 07.09.2016 as well as dated 03.08.2017 of this Court, both the parties were directed to get their statements recorded before the learned trial Court and consequently, learned Judicial Magistrate 1<sup>st</sup> Class, SAS Nagar, Mohali, recorded the statements of both the parties and submitted a report dated 24.08.2017 and operative part of the same reads as under: -

“Accordingly, the statements in compliance of the order of the Hon'ble High Court have been recorded by the undersigned being Duty

Magistrate. From their statements, I am satisfied that the said compromise was effected between them out of their free will and without any coercion. The compromise is genuine, voluntary and without any coercion or undue influence. It is further submitted that as per statement of ASI Sulekh Chand, IO of the case, there is only one accused, Manpreet Singh, who is not proclaimed offender in this case. Hence the report is submitted accordingly with original statements of the parties. ”

4. A perusal of the report reveals that the compromise entered into between the parties is genuine, voluntarily, without any coercion or undue influence. Even before this Court also, the parties are not disputing the factum of compromise arrived at between them.

5. Learned State counsel, on instructions from ASI Amarjit Singh, states that the investigation is still pending in this case. On a specific query put to him by the Court, he states that he has no objection with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties.

6. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and do not involve any public funds and thus, quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Accordingly, the impugned FIR and all consequential proceedings resulting therefrom, qua petitioner, are hereby quashed.

7. Petition is allowed.

( MAHABIR SINGH SINDHU)  
JUDGE

April 30, 2018  
naresh.k

|                            |     |
|----------------------------|-----|
| Whether reportable?        | Yes |
| Whether reasoned/speaking? | Yes |