

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

**Criminal Misc. No.M-20648 of 2018
Date of Decision: 10.07.2018**

Harbans Singh

...Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

Criminal Misc. No.M-21177 of 2018

Harpreet Singh Mann @ Harpreet Singh

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

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

Present:- Ms. Kamalpreet, Advocate
for the petitioner in CRM-M-20648-2018.

Mr. Vibhor Bansal, Advocate
for the petitioner in CRM-M-21177-2018.

Mr. Tanvir Joshi, AAG, Punjab.

HARI PAL VERMA, J. (Oral)

This order shall dispose of two petitions i.e. CRM-M-20648-2018 and CRM-M-21177-2018, as the same have arisen out of a common FIR. However, for brevity, facts are being taken from CRM-M-20648-2018.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.62 dated 4.3.2016 under Sections 465, 467, 468, 471, 420 and 511 IPC registered at P.S. Zirakpur, District SAS Nagar and the further proceedings arising therefrom, if any, on the basis of compromise (Annexure P-2).

This Court vide order 16.05.2018 had directed the parties to appear before the Illaqa Magistrate/Trial Court to get their statements recorded with regard to compromise and learned Illaqa Magistrate/Trial Court 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 learned Judicial Magistrate Ist Class, Dera Bassi and got their statements recorded. Learned Magistrate has forwarded her report dated 19.06.2018 to the effect that the parties have genuinely and voluntarily got their statements recorded regarding compromise out of their own free will and the same is genuine. The statement of Hardeep Singh, complainant reads as under:-

“Stated that one FIR No.62 dated 04.03.2016 U/S 465/467/468/471/420/511 IPC, P.S. Zirakpur lodged by me against accused Harpreet Singh S/o Sh. Niranjana Singh, R/o House No.2206, Sector 22-C, Chandigarh at present R/o Village Bautoli, Tehsil Derabassi, District Mohali and accused Harbans Singh S/o Balwant Singh, House No.HM-15, Phase-II, Mohali. Now, with the intervention of the respectables, I have voluntarily entered into compromise with the above said accused persons out of my free will and without any pressure or undue influence, coercion, inducement, threat or promise from any side and the copy of the same is Ex.CA

and Ex.CB. I identify their signatures over the Ex.CA and Ex.CB, both the photostat compromise deeds are true and correct as per originals. Though, I have not received any notice from Hon'ble High Court. I have no objection if the above said FIR is quashed by the Hon'ble Punjab and Haryana High Court against the accused persons. Both the parties are bound to terms and conditions Ex.CA and Ex.CB."

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) 1052 (P&H), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)10 SCC 303, both these petitions are allowed and FIR No.62 dated 4.3.2016 under Sections 465,467, 468, 471, 420 and 511 IPC registered at P.S. Zirakpur, District SAS Nagar and the further proceedings arising therefrom, if any, are quashed *qua* the petitioners, on the basis of compromise (Annexure P-2).

Photocopy of this order be placed on the file of other connected case.

July 10, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No`