

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

**CRM-M-20201-2017
Date of decision:26.2.2018**

Sukhdev Kumar Sahota and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. M.S. Bedi, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab
for respondent No.1.

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

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.222 dated 25.12.2016, under Sections 406 and 420 of the Indian Penal Code ('IPC' - for short) registered at Police Station City Phagwara, District Kapurthala, on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 01.06.2017 to appear before the learned Illaqa Magistrate/trial Court and

get their statements recorded and in pursuance thereof, learned Sub-Divisional Judicial Magistrate, Phagwara, recorded the statements of both the parties and submitted a report dated 5.7.2017. A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. No objection has been raised by the learned State counsel on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case. Learned State counsel on instructions from ASI Ram Lal has submitted that report under Section 173 Criminal Procedure Code ('Cr.P.C.' - for short) has not been submitted in this case.

5. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, and the fact that no objection has been raised by the State, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed qua petitioner(s).

6. Petition is allowed.

(MAHABIR SINGH SINDHU)
JUDGE

26.2.2018
Gaurav Sorot

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |