

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

268

CRM-M-21351-2018

Date of Decision: 01.08.2018

Aman Bakshi and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. Avtar Singh Khaira, Advocate,
for the petitioners.**

Mr. SPS Tinna, Additional Advocate General, Punjab.

**Mr. Ranjit Saini, Advocate,
for respondent No.2.**

HARI PAL VERMA , J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.43 dated 22.03.2014 under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Mataur, District Mohali (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 21.05.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court 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 learned Judicial Magistrate Ist Class, SAS Nagar (Mohali) and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 30.07.2018 to the effect that the parties have compromised the matter. The compromise is genuine, voluntarily, without any fear, force or pressure, it being result of an amicable settlement arrived between the parties.

Respondent No.2-complainant, namely, Maninder Pal Singh, has made a statement through his Special Power of Attorney, namely, Gurpreet Singh son of Bikramjit Singh Pal, with regard to compromise before learned Magistrate on 17.07.2018. The same is reproduced as under:-

“Stated that I am GPA of Sh. Maninderpal Singh s/o late Sh. GS Walia, r/o H. No. 2672, Phase-7, Mohali at present r/o H. no. 4021, 63rd Avenue East Fife, WA 98424, USA. The FIR No. 43 dated 22.03.2014 under Sections 420, 465, 467, 468, 471, 120-B IPC PS Mataur, Mohali was got registered by me Maninderpal Singh complainant against Aman Bakshi s/o late Sh. Manjeet Bakshi, r/o H. No. 2634, Phase-7, Mohali, Baljit Singh s/o late Sh. Ishar Singh, r/o H. No. 1380, Sector-70, Mohali, Shri Guru Teg Bahadur Society, Mohali and Kirna Devi w/o Sadhu Ram, r/o H. No. 42A, Sector-125, Old Sunny Enclave, Mohali. I have effected a compromise with the above said accused persons. I do not want to further pursue with the complaint. We have no objection in case the FIR registered against above named is quashed. The above said compromise was got effected by me of my free Will without any pressure and coercion. The Civil suit was also decreed in favour of Maninderpal Singh on the basis of compromise.”

Learned State counsel as well as learned counsel for respondent No.2 have 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 Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.43 dated 22.03.2014 under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Mataur, District Mohali (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise (Annexure P-2).

August 01, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No