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

CRM-M-21372-2018

Date of decision:12.07.2018.

SULTAN KHAN AND ANR

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Arvind Kashyap, Advocate,
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab,
for respondent No.1.

Ms.Kulwinder Kaur, 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 F.I.R. No.111 dated 03.10.2013 under Sections 170, 506 IPC, registered at Police Station Amloh, District Fatehgarh Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 18.09.2017 (Annexure P-2).

This Court vide order dated 21.05.2018 had directed the parties to appear before the trial Court/Illaqa Magistrate 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, Amloh and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.05.2018 to the effect that the compromise effected between the parties is genuine and valid.

Respondent No.2-complainant, namely, Ashish Garg has made his statement with regard to compromise before learned Magistrate on 25.05.2018. The same is reproduced as under:-

“With the intervention of respectable persons, I have entered into compromise with accused Sultan Khan and Jagjit Khan. The compromise is duly signed by me as well as by the accused Sultan Khan and Jagjit Khan. Photocopy of compromise is Mark-A. The same is not the result of fraud, pressure or without any influence or coercion in any manner and is with my free will & voluntary. Same is legal, valid and genuine one. I have no objection if FIR No.111 dated 3.10.2013 under section 170, 506 of IPC registered at P.S. Amloh is quashed against the accused.”

Learned State counsel, on instructions from HC Shamsheer Singh, does not dispute the factum of compromise between the parties and states that the challan in the case has been presented. Learned counsel for respondent No.2 also does not dispute 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 F.I.R. No.111 dated 03.10.2013 under Sections 170, 506 IPC, registered at Police Station Amloh, District Fatehgarh Sahib (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 18.09.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.07.2018
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No