

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

263

CRM-M-21431-2018

Date of Decision: 01.08.2018

Basant Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Aseem Kataria, Advocate,  
for the petitioner.

Mr. SPS Tinna, Additional Advocate General, Punjab.

None for respondent No.2.

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HARI PAL VERMA , J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.3 dated 04.01.2013 under Sections 420, 467, 468, 471 IPC, registered at Police Station City I, Abohar, District Fazilka (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 24.04.2018 (Annexure P-2) and affidavit dated 20.04.2018 (Annexure P-3).

This Court vide order dated 18.05.2018 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, Abohar and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.06.2018 to the effect that the compromise arrived at between the parties is voluntary, without any pressure and coercion and with their free will.

Though, today no one is present on behalf of respondent No.2-complainant, namely, Krishan Kumar, but no prejudice would be caused to him as he has already made a statement with regard to compromise before learned Magistrate on 02.06.2018. The same is reproduced as under:-

*“Stated that the present FIR no. 03 dated 04.01.2013 under section 420/467/468/471 IPC was registered on my statements with PS City-I Abohar and now with the intervention of respectables of our society, compromise has been effected between me and accused. I have compromised with the accused without any pressure and coercion and with my own free will. I have no grudge against accused. I have no objection if the above said FIR and its further proceedings arising therefrom is quashed.”*

Learned State counsel has 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.3 dated 04.01.2013 under Sections 420, 467, 468, 471 IPC, registered at Police Station City I, Abohar, District Fazilka (Annexure P-1) and all subsequent proceedings arising

therefrom are hereby quashed qua the petitioner on the basis of compromise dated 24.04.2018 (Annexure P-2) and affidavit dated 20.04.2018 (Annexure P-3).

August 01, 2018  
seema

(HARI PAL VERMA)  
JUDGE

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