

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

280

CRM-M-22183-2018

Date of Decision:26.07.2018

Sukhdev Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

Mr. Arshdeep Singh, Advocate,
for respondent Nos.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.155 dated 17.11.2017 under Section 420 IPC, registered at Police Station Dhariwal, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.04.2018 (Annexure P-2).

Power of attorney filed on behalf of respondent Nos.2 and 3 is taken on record.

This Court vide order dated 23.05.2018 had directed the parties to appear before the 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 Chief Judicial Magistrate, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 01.06.2018 to the effect that the parties have compromised the matter. The compromise is genuine.

Respondent No.2-Complainant, namely, Gurmukh Singh as well as respondent No.3-Baldev Singh, have made a joint statement with regard to compromise before learned Magistrate on 29.05.2018. The same is reproduced as under:-

“Stated that the matter has been compromised between us and accused Sukhdev Singh. The compromise has been entered into out of my free will without any pressure. There is no other accused nor any other person is effected and declared proclaimed person in the present case.

We have no objection in case the FIR against accused Sukhdev Singh is quashed.”

Learned State counsel as well as learned counsel for respondent Nos.2 and 3 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.155 dated 17.11.2017 under Section 420 IPC, registered at Police Station Dhariwal, District

Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 30.04.2018 (Annexure P-2).

July 26, 2018
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(HARI PAL VERMA)
JUDGE

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