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

CRM-M-22668-2018 (O&M)

Date of decision:18.09.2018.

BACHITTAR SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Amit Dhawan, Advocate,
for the petitioner.

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

Mr.Prabhjot, Advocate, for
Mr. Abhimanyu Vinayak, 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.137 dated 10.10.2017 registered under Sections 420, 465, 468 IPC at Police Station Division No.4, Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.01.2018 (Annexure P-2).

This Court vide order dated 19.07.2018 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

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.07.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any pressure or coercion.

Respondent No.2-complainant, namely, Shokin Chand has made his statement with regard to compromise before learned Magistrate on 24.07.2018. The same is reproduced as under:-

“Stated that FIR No.137 dated 10.10.2017 U/s 420/465/468 IPC, PS Division No.4, Jalandhar was registered on statement against Bachittar Singh s/o Harbans Singh, r/o Village Dyalpur, Subhanpur, Tehsil Bholath, District Kapurthala and there is no other accused except Bachittar Singh s/o Harbans Singh. Now I have compromised the matter with accused. Compromise is genuine, voluntary and without any coercion or any undue influence. Copy of my adhar card is Ex.P1. I have no objection if the above said FIR is quashed and accused be discharged.”

Learned State counsel, on instructions from ASI Jagdish Singh, states that after having investigated the matter, the police has prepared cancellation report and the same is pending approval with the higher officials for onward submission.

Learned counsel appearing on behalf of respondent No.2-complainant does not dispute the factum of compromise.

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**

registered under Sections 420, 465, 468 IPC at Police Station Division No.4, Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 15.01.2018 (Annexure P-2). However, that would be subject to payment of costs of ₹10,000/- to be paid to the High Court Lawyers Welfare Fund and a receipt thereof shall be produced in the Registry within 15 days.

(HARI PAL VERMA)
JUDGE

18.09.2018

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