

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

276

CRM-M-23945-2018

Date of Decision:26.07.2018

Ravinder Kumar and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. Kashish Garg, Advocate,
for the petitioners.**

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

None 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.0009 dated 18.01.2016 under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Civil Lines, Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 14/26.05.2018 (Annexure P-5).

This Court vide order dated 31.05.2018 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, Bathinda and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 20.07.2018 to the effect that the compromise effected between the parties appears to be genuine and voluntary.

Though, today no one is present on behalf of respondent No.2- Complainant, namely, Mohan Lal Gupta, but no prejudice would be caused to him as he has already made a statement with regard to compromise before learned Magistrate on 19.07.2018. The same is reproduced as under:-

“I have brought my Adhar Card to prove my identity and placed on record self attested copy of the same.

I am complainant of case FIR No.9 dated 18.01.2016, U/Ss 420, 465, 467, 468, 471, 120-B IPC, Police Station Civil Lines, Bathinda, registered against the accused-petitioners namely Ravinder Kumar, Pawan Kumar, Sadhu Singh, Kapil Kapoor, Naresh Kumar & Deepika Saini. With the intervention of common relatives and respectable persons, I have arrived at compromise with the above named accused-petitioners, without any pressure or coercion. The compromise is genuine and voluntarily and the same is in the interest of the parties. Regarding the compromise, the accused-petitioners have filed a petition before Hon'ble High Court bearing CRM-M No.23945 of 2018, for quashing the aforesaid FIR registered against them. I have no grudge against the accused/petitioners. I do not want to proceed with present case against them and have no objection if FIR No.9 dated 18.01.2016, U/Ss 420, 465, 467, 468, 471, 120-B IPC, Police Station Civil Lines, Bathinda, registered against the accused-petitioners, are quashed. There is no other person in the FIR except the present petitioners.”

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.0009 dated 18.01.2016 under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Civil Lines, Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 14/26.05.2018 (Annexure P-5).

July 26, 2018
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No