

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

**CRM-M No.2571 of 2018 (O&M)
Date of Decision: 22.3.2018**

Udeek Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Dhruv Gupta, Advocate for the petitioners.

Mr. Harbir Sandhu, Assistant Advocate General, Punjab
for respondent No.1/State.

Mr. G.S.Madaan, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing of FIR No.184 dated 29.08.2017, under Sections 420 and 120-B of the Indian Penal Code, registered at Police Station Zira, District Ferozepur on the basis of compromise entered into between the parties.

This Court, while issuing notice of motion on 22.01.2018, passed the following order:-

“ Notice of motion.

On the asking of the Court, Mr. Amitoj Singh Dhaliwal, DAG, Punjab, who is present in the Court, accepts notice on behalf of respondent No.1-State. A complete set of the petition be supplied to the State counsel during the course of the day.

At this stage, Mr. G.S. Madaan, Advocate puts in appearance on behalf of respondent No.2 by filing power of attorney, which is taken on record.

Parties are directed to appear before the Court of trial Court on 21.2.2018 to get their statements recorded with regard to compromise/settlement. The trial Court is directed to submit a report to this Court on or before the next date of hearing containing the following information:-

- i. Number of persons arrayed as accused in FIR.
- ii. Whether any accused is proclaimed offender.
- iii. Whether the compromise is genuine, voluntary and without any coercion or undue influence.

List on 28.2.2018. ”

In terms of above order, the statements of both the parties were recorded by learned Sub Divisional Judicial Magistrate, Zira and submitted a report dated 22.02.2018. The operative part of the same reads as under:-

' I am satisfied that compromise arrived at between parties is voluntary with free consent and without any coercion, undue influence and fear. '

A perusal of the report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no objection by either of the parties in case the FIR is quashed. Even learned State Counsel, on instructions from the police official present in the Court, has also no objection in case the aforesaid FIR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties in this case.

In view of above, this Court is fully convinced that the offences are entirely personal in nature and does not involve any public funds and thus quashing of FIR in question along with all consequential proceedings on

the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the present petition is allowed and the aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioners.

Disposed off accordingly.

March 22, 2018

Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
<i>Whether Reportable</i>	<i>Yes</i>