

263.

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

CRM-M-26447-2018

Date of decision:04.09.2018.

BALDEV SINGH @ BALDEV SIDHU AND ORS ... Petitioners

Versus

STATE OF PUNJAB AND ANR Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ramesh Chand Sharma, Advocate,
 for the petitioners.

Mr.Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

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 F.I.R. No.73 dated 23.07.2017 registered under Sections 420, 406 IPC at Police Station Bholalth, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.06.2018 (Annexure P-2).

This Court vide order dated 02.07.2018 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 learned Judicial Magistrate Ist Class, Kapurthala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 21.08.2018 to the effect that the parties have entered into compromise voluntarily and without any threat, coercion or pressure and the compromise is genuine one.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Prithipal Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 04.08.2018. The same is reproduced as under:-

“That I have compromised in FIR No.73, dated 23.07.2017 registered under section 420/406 IPC, P.S.Bholath, District Kapurthala against me. I have compromised matter with accused namely Baldev Singh, Monu @ Monika, Sonu Pandit @ Sonu and Lakshmi, with the intervention of respectables and Panchayat members. The correct photocopy of my Adhar Card is Ex.C1. The matter in dispute has been compromised amicably with the intervention of respectables of Village between me and above mentioned accused. In future neither I nor the all accused would not take any legal action against each other. I have not objection if the present FIR be quashed. I have compromised the matter voluntarily, willingly, with my own free will and without any coercion or undue influence.”

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 F.I.R. No.73 dated 23.07.2017

Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 11.06.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

04.09.2018
sanjeev

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