

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

CRM-M-2755 of 2018

Date of decision:- 12.03.2018

Gurmail Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Gurcharan Dass, Advocate
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. Ranjit Singh Sidhu, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.42 dated 22.04.2017, under Sections 420, 406 and 120-B of IPC, registered at Police Station Amargarh, District Sangrur on the basis of compromise entered into between the parties.

2. Heard learned counsel for the parties and perused the paper book.

3. It is jointly stated by both the parties that they are related to each other and now the matter has been amicably settled and compromised between them. In pursuance of the order of this Court

dated 16.02.2018, both the parties were directed to appear before the learned Area Magistrate/Trial Court and get their statements recorded and in pursuance thereof, learned Judicial Magistrate Ist Class, Malerkotla recorded the statements of both the parties and has submitted a report dated 01.03.2018.

4. A perusal of the report reveals that the compromise entered into between the parties is genuine and without any pressure, coercion, undue influence or inducement from any quarter and relevant part reads as under:

“There are total seven accused arrayed in the FIR. They were not declared as proclaimed absconder. The compromise is genuine, voluntary and without any coercion or undue influence. As per their statements no criminal case is pending against them. From their statements, the under signed is of the opinion that compromise has been reached between the parties voluntarily and without any pressure.”

Even, before this Court also there is no dispute regarding the compromise; rather, both the parties have settled the matter with their free consent.

5. On instructions from ASI Sadha Singh, learned State counsel submits that even the report under Section 173 Cr.P.C. has not been submitted in this case. No objection has been raised by the learned State

counsel on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

6. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquility and thus quashing of FIR No.42 dated 22.04.2017 alongwith all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice.

7. Accordingly, the impugned FIR and all consequential proceedings resulting therefrom, qua petitioners, are hereby quashed.

8. Petition is allowed.

March 12, 2018
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(MAHABIR SINGH SINDHU)
JUDGE

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