

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

259

CRM-M-28560-2018

Date of Decision:21.09.2018

Manjit Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. L.S Sidhu, Advocate,
for the petitioners.

Mr. Tanvir Joshi, A.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.20 dated 29.02.2016 under Sections 420, 506 IPC, registered at Police Station Kot Ise Khan, District Moga (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 02.07.2018 (Annexure P-2).

This Court vide order dated 12.07.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Moga and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 07.09.2018 to the effect that the compromise has been effected with the intervention of village respectables and they have compromised the matter without any coercion and with their own sweet will.

Though, today no one is present on behalf of respondent No.2- Complainant, namely, Angrej Singh, but no prejudice would be caused to him as he has already made a statement with regard to compromise before learned Magistrate on 16.08.2018. The same is reproduced as under:-

“Stated that FIR No.20 dated 29.02.2016 under Sections 420, 506 IPC was registered against the accused persons at Police Station Kot Ise Khan at my instance. We have compromised the matter with the accused party voluntarily. The compromise between us has been effected with the intervention of village respectable and we have compromised the matter without any coercion and with our own sweet will. I have no objection if the said FIR is quashed. No other criminal case is pending between us. There are three accused namely Manjit Singh, Kashmir Kaur and Barma Singh in this case. There is no other accused. No accused has been declared as 'proclaimed offender' in this case. ”

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)***

Sections 420, 506 IPC, registered at Police Station Kot Ise Khan, District Moga (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 02.07.2018 (Annexure P-2).

September 21, 2018
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No