

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

CRM-M-28201-2017

Date of decision: January 19, 2018

Kuljeet Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sandeep Verma, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

Mr. Dushyant Bhardwaj, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.193 dated 08.09.2015, under Sections 406, 420 of Indian Penal Code, registered at Police Station Samrala, District Khanna, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of amicable settlement arrived at between the parties.

This Court vide order dated 13.11.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

Sub Divisional Judicial Magistrate, Samrala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 16.01.2018 to the effect that the compromise arrived at between the parties is genuine and valid one.

Respondents No.2 and 3-complainants, namely, Hartej Singh and Gurmukh Singh have made a joint statement with regard to compromise before learned Magistrate on 16.01.2018 which reads as under:-

“Stated that we have voluntarily compromised the matter in the present FIR No.193 dated 08.09.2015 u/s 420, 406 IPC PS Samrala with the accused-Kuljit Singh. We have seen the photocopy of compromise/affidavit dated 20.05.2017 which bears our signatures. Photocopy compromise/affidavit is Mark A. The present compromise has been effected with out free will without any pressure or anybody coercion. We have no objection if the present FIR is quashed.”

Learned State counsel as well as learned counsel for respondents No.2 and 3 have 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. and it will amount to abuse of the process of law.

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.193 dated 08.09.2015, under Sections 406, 420 of Indian Penal Code, registered at Police Station

Samrala, District Khanna, Punjab (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of settlement arrived at between the parties.

January 19, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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