

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

**CRM-M-34706-2017 (O&M)
Date of decision: January 22, 2018**

Sukhwinder Singh and others

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Himanshu Jain, Advocate for
Mr. Vivek Thakur, Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Rahul Jaswal, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.48 dated 29.04.2017, under Sections 365, 379-B and 420 of Indian Penal Code, registered at Police Station City Raikot, District Ludhiana (Rural) (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 04.09.2017 (Annexure P-2).

This Court vide order dated 18.09.2017 had directed the parties to appear before the 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 Judicial Magistrate Ist Class, Jagraon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report

dated 21.11.2017 to the effect that compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Radhey Sham has made a statement with regard to compromise before learned Magistrate on 13.11.2017 which reads as under:-

“Stated that the above said case was registered on the basis of my statement. Now, I have compromised the matter in above said FIR on the intervention of the respectables. I voluntarily compromised the matter with the accused/petitioners namely Sandeep Singh son of Rajpal Singh resident of H.No.11, Thana Road, Near Laxami Ice Factory, Ward No.12 Ahmedgarh, Distt. Sangrur and Sukhwinder Singh @ Sukha son of Nathi Singh, resident of near Veterinary Hospital, Raikot, Distt. Ludhiana without any pressure from any person. I have no objection if the FIR and proceedings against accused Sandeep Singh, Ashoo Singh and Sukhwinder Singh be quashed.”

Learned State counsel as well as learned counsel for respondent No.2 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.48 dated 29.04.2017, under Sections 365, 379-B and 420 of Indian Penal Code, registered at Police Station

City Raikot, District Ludhiana (Rural) (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 04.09.2017 (Annexure P-2).

January 22, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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