

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

**CRM-M-37804-2013 (O&M)
Date of decision: January 22, 2018**

Darshan Singh and others

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Pardeep Goyal, Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Janak S. Bhinder, 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.17 dated 12.03.2013, under Sections 419, 420, 465, 467, 468, 471, 120-B of Indian Penal Code, registered at Police Station Dharamgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 09.10.2013 (Annexure P-2).

This Court vide order dated 11.12.2014 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, Sunam and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.02.2015 to the effect that parties have compromised the matter voluntarily and with free consent.

Respondent No.2-complainant, namely, Labh Singh has made a statement with regard to compromise before learned Magistrate on 22.01.2015 which reads as under:-

“Stated that FIR 17 dated 12.03.2013, U/s 419/420/465/467/468/471/120-B IPC P.S. Dharamgarh was registered on my statement against the accused. I have compromised the matter with the accused. The compromise is voluntarily and with free will and without any coercion undue influence of fear. I have no objection if present FIR is 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.17 dated 12.03.2013, under Sections 419, 420, 465, 467, 468, 471, 120-B of Indian Penal Code, registered at Police Station Dharamgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 09.10.2013 (Annexure P-2).

January 22, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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