

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

**CRM-M-36450-2017
Date of decision:1.3.2018**

Gursharan Singh Kohli @ Gurcharan Singh @ Kohli

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vikas Bahl, Senior Advocate with
Mr. Manbir Singh Batth, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab
for respondent No.1.

Mr. Manuj Nagrath, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.0365 dated 19.12.2016, under Sections 420 of the Indian Penal Code ('IPC' - for short) registered at Police Station Focal Point, District Police Commissionerate (P-1), on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated

11.12.2017 to appear before the learned Illaqa Magistrate/trial Court and get their statements recorded and in pursuance thereof, learned Chief Judicial Magistrate, Ludhiana, recorded the statements of both the parties and submitted a report dated 12.1.2018. A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. 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.

5. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, and the fact that no objection has been raised by the State, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed qua petitioner(s).

6. Petition is allowed.

(MAHABIR SINGH SINDHU)
JUDGE

1.3.2018
Gaurav Sorot

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |