

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

**CRM-M-36958-2017
Date of decision:14.3.2018**

Kuldeep Singh and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Arav Gupta, Advocate
for the petitioners.

Mr. Vikas Malik, D.A.G., Haryana
for respondent No.1.

Mr. Shiva Khurmi, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.68 dated 29.6.2017, under Sections 420, 406 of Indian Penal Code ('IPC' - for short) registered at Police Station Sadar Rupnagar, District Rupnagar, Punjab on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 20.12.2017 to appear before the learned Illaqa Magistrate/trial Court and

get their statements recorded and in pursuance thereof, learned Judicial Magistrate Ist Class, Rupnagar recorded the statements of both the parties and submitted a report dated 9.2.2018, which reads as under :-

“..... From the statements of the parties, it appears that the compromise arrived at between the parties is genuine, voluntarily and without any coercion or undue influence. The statements of the complainant namely Balkar Singh son of Khushal Singh and accused namely Kuldeep Singh son of Paramjit Singh and Manjit Kaur W/o Kuldeep Singh in original are enclosed herewith.”

Further, the statement of complainant-Balkar Singh reads as under:-

“Stated that I have effected compromise with Kuldeep Singh son of Paramjit Singh and Manjit Kaur W/o Sh. Kuldeep Singh R/o Village Majri Jattan, Tehsil & District Rupnagar in an FIR No.68 dated 29.6.2017 under Sections 420, 406 IPC registered at Police Station Sadar Rupnagar. The compromise has been effected without any type of threat or coercion and pressure.”

A perusal of the report as well as statement clearly 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 instructions from HC Parminder Singh 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. He further submitted that report under Section 173 Criminal Procedure Code ('Cr.P.C.' - for short) has not been submitted so far.

5. This Court is convinced that the dispute between the parties is personal in nature and no public funds are involved and the same 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**

14.3.2018
Gaurav Sorot

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