

241.

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

CRM-M-37001-2015

Date of decision:30.08.2018.

MANPREET SINGH @ DHATTU & ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

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

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.262 dated 19.11.2014 registered under Sections 457/380 IPC (Section 411 IPC added lateron) at Police Station Samrala, District Khanna (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 30.10.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Samrala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 24.11.2015 to the effect that the compromise arrived at between the parties is genuine, voluntary and without any undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Jang Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 18.11.2015. The same is reproduced as under:-

“Stated that I have compromised the matter in dispute with accused persons, namely, Manpreet Singh @ Dhattu, Pardeep Singh @ Tony, Devinder Singh @ Banti and Roop Kishore @ Ruby, without any undue influence, or coercion. The compromise executed by me with above referred persons is genuine and volunteer. I have compromised the matter with them voluntarily and have no objection if the FIR against above said accused is quashed by Hon'ble High Court.

I have not compromised the matter with accused, namely, Devinder Singh @ Giani, Ajitpal Singh, Nijaj Mohd. Kulwinder Singh @ Nikka, Gurjot Singh @ Ravi and Mohd. Shakeel @ Gheelu.”

Learned State counsel has 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.

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

SCC 303, this petition is allowed and F.I.R. No.262 dated 19.11.2014 registered under Sections 457/380 IPC (Section 411 IPC added lateron) at Police Station Samrala, District Khanna (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise (Annexure P-2).

(HARI PAL VERMA)
JUDGE

30.08.2018
sanjeev

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