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

CRM-M-38019-2018

Date of decision:04.10.2018.

H.C. BHAJAN SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Kulbir Singh Sekhon, Advocate,
for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, 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.27 dated 02.03.2018 registered under Sections 420/379/411/201/506 IPC at Police Station Kabarwala, District Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 08.05.2018 (Annexure P-2).

This Court vide order dated 31.08.2018 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 Judicial Magistrate Ist Class, Malout, District Sri Muktsar Sahib

and got their statements recorded. On the basis of the statements so

recorded, learned Magistrate has submitted report dated 25.09.2018 to the effect that the compromise has been effected between the parties voluntarily, without any pressure, threat or coercion from either side.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Constable Jasbir Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 13.09.2018. The same is reproduced as under:-

“It is stated that the present FIR has been registered on the basis of my statement against the accused HC Bhajan Singh. I have arrived at a compromise in this matter with the accused with the intervention of the village Panchayat. The matter has been amicably sorted out between me and the accused. I have no grudge with the accused. The compromise has been arrived at voluntarily without any pressure, threat, coercion, with the other party and with my own sweet will. No other person except the above said accused is involved in this FIR. The accused has not been declared proclaimed offender in the present case. I do not want to proceed with the present case and I have no objection if the present case FIR and other consequent proceedings are quashed against the accused.”

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 Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.27 dated 02.03.2018

Kabarwala, District Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 08.05.2018 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/- to be deposited with the High Court Lawyers Welfare Fund, for which, receipt would be produced in the Registry within 15 days from today.

(HARI PAL VERMA)
JUDGE

04.10.2018
sanjeev

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