

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

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CRM-M No.39847 of 2017

Date of Decision: May 21st, 2018

Maninderjit Singh @ Mintu

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Kuldeep Singh, Senior Deputy Advocate General, Punjab.

Mr. Gaurav Khera, Advocate
for Mr. Nitin Rampal, Advocate
for the complainant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for quashing of FIR No.94 dated 26.12.2016 registered under Sections 279, 337, 338, 427 IPC at Police Station Begowal, District Kapurthala, and all consequential proceedings arising therefrom on the basis of a compromise dated 24.04.2017 (Annexure P-2), which is in the form of an affidavit of complainant-respondent No.2-Sajan Verma, acknowledging the factum of the said compromise.

When the case came up for hearing on 26.10.2017, parties were directed to appear before the trial Court/Illaq Magistrate for getting their statements recorded with reference to the compromise. The trial Court was called upon to submit a report with regard to the authenticity of the said compromise.

In pursuance to the order passed by this Court, parties appeared before the learned Judicial Magistrate Ist Class, Kapurthala, on 08.11.2017 and got recorded their respective statements.

On the basis of the said statements, Court below has come to a conclusion that the compromise reached between the parties is out of free will and without any pressure. Thus, the compromise is genuine.

In view of the above report, counsel for the petitioner as well as the complainant submit that the present petition be allowed.

Counsel for the complainant asserts that the complainant has no objection to the quashing of the FIR, which was recorded at his behest, in view of the compromise.

Keeping in view of the above facts, especially the report of the Judicial Magistrate Ist Class, Kapurthala, dated 10.11.2017, interest of justice would be duly served by bringing an end to the dispute which has been amicably resolved between the parties and, therefore, the Court should facilitate the amicable resolution of the dispute by bringing an end to the said differences.

In view of the above and keeping in view the principles laid down by judgment of Supreme Court in *Madan Mohan Abbot Versus State of Punjab 2008 (2) RCR (Criminal) 429* and in *Criminal Appeal No.1723 of 2017* titled as *Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another*, decided on 04.10.2017, the present petition is allowed and FIR No.94 dated 26.12.2016 registered under Sections 279, 337, 338, 427 IPC at Police Station Begowal, District Kapurthala, and all consequential proceedings arising therefrom, are hereby quashed qua the petitioner only.

May 21st, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No