

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

CRM-M-40197-2017 (O&M)

Date of decision: January 18, 2018

Satbir Singh

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Munish Puri, Advocate
for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab
for respondent No.1-State.

Mr. Sanjeev Kumar, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.83 dated 28.09.2017, under Sections 279, 337, 427 of Indian Penal Code and 185 of MV Act, 1954, registered at Police Station Division No.1, District Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.10.2017 (Annexure P-2).

This Court vide order dated 27.10.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Court was directed to send its report qua the genuineness of the compromise.

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

submitted report dated 10.11.2017 to the effect that the compromise effected between the parties is voluntarily, without any pressure or coercion from any side and genuine.

Learned State counsel as well as learned counsel for respondent No.2 have 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. and it will amount to abuse of the process of law.

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.83 dated 28.09.2017, under Sections 279, 337, 427 of Indian Penal Code and 185 of MV Act, 1954, registered at Police Station Division No.1, District Pathankot (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 16.10.2017 (Annexure P-2).

January 18, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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