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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.41678 of 2017
Date of Decision: 02.05.2018

Naresh Kumar and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Deepak Agnihotri, Advocate,
for the petitioners.

Mr. Luvinder Sofat, A.A.G., Punjab,
for respondent No.1.

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R. No.117, dated 02.09.2015, under Sections 420/465/467/468/471/120-B of the Indian Penal Code, registered at Police Station Sadar Phagwara (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, respondent No.2 has arrived at a settlement with the accused vide Agreement (Annexure P-3) which is duly signed by her. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the

parties. The Judicial Magistrate Ist Class, Phagwara, vide report dated 24.11.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Neither respondent No. 2 nor her counsel is present. However, she has made statement on 18.11.2017, before the Judicial Magistrate Ist Class, Phagwara, whereby she has admitted the factum of compromise with the accused persons, voluntarily and without any undue influence or coercion.

[4]. In terms of the report of the Judicial Magistrate Ist Class, Phagwara, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has herself compromised the dispute with the petitioners/accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.117, dated 02.09.2015, under Sections 420/465/467/468/471/ 120-B of the Indian Penal Code, registered at Police Station Sadar Phagwara (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioners.

02.05.2018

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No