

257.

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

CRM-M-42656-2018

Date of decision:17.12.2018

CHARAN SINGH AND ORS

... Petitioners

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

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

Mr.Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Mr.Vikas Garg, Advocate,
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.59 dated 29.04.2015 registered under Sections 420, 465, 467, 468, 471, 120-B of IPC at Police Station Sadar, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 03.09.2018 (Annexure P-2).

Power of attorney filed on behalf of respondent No.2 in court today, is taken on record.

This Court vide order dated 26.09.2018 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 Additional Chief Judicial Magistrate, Kapurthala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.11.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any pressure.

Respondent No.2-complainant, namely, Chanan Kaur @ Channo has made her statement with regard to compromise before learned Magistrate on 31.10.2018. The same is reproduced as under:-

“I had got registered the present FIR No.59 dated 29.04.2015 Under Sections 420, 465, 467, 468, 471, 120-B IPC, PS Sadar, Kapurthala was registered against Charan Singh, Avtar Singh and Amrik Singh. We have compromised the matter with the above said accused voluntarily without any pressure or coercion and with the intervention of the respectable of the locality to keep harmony amongst ourself. This compromise is genuine and no accused is proclaimed offender in the present case. I have no objection if the proceedings against the above said accused are quashed.”

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.

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***

registered under Sections 420, 465, 467, 468, 471, 120-B of IPC at Police Station Sadar, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 03.09.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

17.12.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No