

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

CRM-M-43314-2018 (O&M)

Date of decision : 5.12.2018

Sanjeev Kumar and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Chetan Bansal, Advocate for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Ms. Swati Verma, Advocate for
Mr. Umesh Aggarwal, Advocate for respondents No. 2 to 4.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

This is a petition filed under Section 482 of the Code of Criminal Procedure for quashing of the FIR No. 0076 dated 25.4.2018 under Sections 406/420 of the Indian Penal Code, 1860, registered at Police Station Sadar, Patiala, District Patiala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of the compromise dated 12.9.2018 (Annexure P-2) and affidavits dated 12.9.2018 (Annexures P3 to P-5) respectively.

Heard.

Vide order dated 1.10.2018, both parties were directed to get their statements recorded before the trial Court and learned Magistrate was directed to submit its report.

Learned District and Sessions Judge, Patiala vide its letter dated 28.11.2018 has forwarded the report of learned Additional Chief Judicial Magistrate, Patiala dated 26.11.2018. It is reported that statements of the complainants namely Davinder Singh, Lakhwinder Singh son of Tek Singh being attorney of Pargat Singh and Gursewak Singh and statements of accused namely Sanjeev Kumar and Chaman Lal have been recorded to the effect that parties have entered into compromise and the compromise arrived at between them is genuine; without any pressure, fear or coercion.

Since the offence under Sections 406/420 of the Indian Penal Code has been lawfully compounded; matter has been compromised and the trial of the case will be useless exercise, present petition is allowed and FIR No. 0076 dated 25.4.2018 under Sections 406/420 of the Indian Penal Code, 1860, registered at Police Station Sadar, Patiala, District Patiala (Anneuxre P-1) and all consequential proceedings arising therefrom on the basis of the compromise dated 12.9.2018 (Annexure P-2) along with consequential proceedings qua petitioners stand quashed.

Petition stands allowed.

(KULDIP SINGH)
JUDGE

5.12.2018

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Whether speaking / reasoned
Whether Reportable:

Yes
No