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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 45646 of 2017
Date of Decision: 05.02.2018

Hardev Singh

..... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. R.S. Athwal, Advocate,
for the petitioner.

Mr.Luvinder Sofat, AAG, Punjab.

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in F.I.R. No.157, dated 16.06.2004, under Sections 420/465/467/468 of the Indian Penal Code, registered at Police Station Civil Lines Div No.5 (Civil Lines), Ludhiana (Annexure P-1), has 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, the complainant has arrived at a settlement with the accused vide Affidavit/Compromise (Annexure P-2), which is duly signed by him. 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 Addl. Chief Judicial Magistrate, Ludhiana, vide report dated 18.01.2018, has apprised this Court that the compromise

arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is not present nor he is represented by his counsel. However, he has made a statement on 22.12.2017, before the Addl. Chief Judicial Magistrate, Ludhiana, whereby he has admitted the factum of compromise with the accused and deposed that the compromise has been effected between them voluntarily and without any undue influence, coercion or pressure.

[4]. In view of the report of the Addl. Chief Judicial Magistrate, Ludhiana, 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 himself compromised the dispute with the petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.157, dated 16.06.2004, under Sections 420/465/467/468 of the Indian Penal Code, registered at Police Station Civil Lines Div No.5 (Civil Lines), Ludhiana (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

05.02.2018
Anjal

(SUDIP AHLUWALIA)
JUDGE

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