

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

**Criminal Misc.No.M-46064 of 2017 (O&M)
Date of Decision : 19.01.2018**

Balwinder Singh and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Avtar Singh Bhatti, Advocate
for the petitioners.

Mr. V.G.Jauhar, Senior DAG, Punjab

Mr. A.S.Barnala, Advocate
for respondent Nos.2 and 3.

RAJ SHEKHAR ATTRI, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.180 dated 14.08.2014, registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Sidhwan Bet, District Ludhiana (Rural) (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise deed dated 09.09.2017 (Annexure P-2).

This Court vide order dated 05.12.2017 had directed the parties to appear before the trial Court/Illaq Magistrate 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 Judicial Magistrate Ist Class, Jagraon and got their statements recorded.

On the basis of the statements so recorded, learned Judge has submitted

report dated 17.01.2018 to the effect that the compromise arrived at between the parties is without any fear, pressure and voluntarily.

Learned State counsel as well as learned counsel for respondent Nos.2 and 3 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.180 dated 14.08.2014, registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Sidhwan Bet, District Ludhiana (Rural) (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise deed dated 09.09.2017 (Annexure P-2).

19.01.2018
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(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No