

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

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**CRM-M-48197 of 2017
Date of decision: 19.02.2018**

Som Raj @ Soma and Another

...Petitioners

Vs.

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.P.S. Pathania, Advocate for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. L.S. Maan, Advocate for respondent No. 2.

MAHABIR SINGH SINDHU, J.(ORAL)

Present petition is filed praying for quashing FIR No.0047 dated 06.11.2017, under Sections 452, 323, 427, 506 and 34 IPC, registered at Police Station Sadar Pathankot, District Pathankot on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 16.12.2017 to appear before the learned Illaqa Magistrate/trial Court and get their statements recorded. In terms of order dated 16.12.2017 statement of both the parties have been recorded by learned Judicial Magistrate Ist Class, Pahtankot. A report has been received from Judicial Magistrate, Ist Class, Pathankot to the effect that compromise entered into between the parties is genuine and without any pressure. Even before this Court, none of the parties, has any objection if the FIR in question is quashed. A perusal of the report reveals that the compromise entered between the parties is

without any pressure and coercion. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. Learned State counsel has also acknowledged the same and stated that State has no objection in quashing the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

5. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, and the fact that no objection has been raised by the State, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed and set aside.

6. Petition is allowed.

February 19, 2018
Poonam (II)

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned: *Yes*

Whether reportable: *Yes*