

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

CRM-M-7414-2016

Date of decision: January 19, 2018

Harjinder Singh and another

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. APS Sandhu, Advocate
for the petitioners.

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

Mr. Shalender Nagpal, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.10 dated 16.01.2015, under Sections 420, 468, 471, 120-B of Indian Penal Code, registered at Police Station Gharinda, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 01.08.2015 (Annexure P-2).

This Court vide order dated 26.07.2016 had directed the parties to appear before the trial Court 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 Chief Judicial Magistrate, Amritsar and got their statements recorded. On

the basis of the statements so recorded, learned Magistrate has submitted report dated 20.10.2016 to the effect that parties have willfully settled their differences and reached at bona fide compromise without any pressure and the same seems to be genuine.

Respondent No.2-complainant, namely, Angrej Singh has made a statement with regard to compromise before learned Magistrate on 06.08.2016 which reads as under:-

“I have got registered FIR No.10 of 16.01.2015, under Sections 420, 468, 471, 120-B of Indian Penal Code, Police Station Gharinda against accused Harjinder Singh and Sandeep Singh and now with the intervention of respectables, entire matter between me and both the accused has been amicably settled. I have arrived at the compromise with the both the accused out of my free will and willful consent and there is no pressure or coercion upon me. There is no other case except the present case is pending. I have no objection if FIR No.10 of 16.01.2015, under Sections 420, 468, 471, 120-B of Indian Penal Code, Police Station Gharinda is 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. 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.10 dated 16.01.2015,

under Sections 420, 468, 471, 120-B of Indian Penal Code, registered at Police Station Gharinda, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 01.08.2015 (Annexure P-2).

January 19, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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