

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

**CRM-M-48850-2017
Date of decision:22.5.2018**

Kuldeep Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Satbir Gill, Advocate
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab
for respondent No.1.

Mr. Balsher Singh, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.124 dated 22.6.2016 under Sections 420/120-B of the Indian Penal Code ('IPC' - for short) registered at Police Station City Kharar, District SAS, Nagar on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 20.12.2017 to appear before the learned Illaqa Magistrate/trial Court and

get their statements recorded and in pursuance thereof, learned Sub-Division Judicial Magistrate, Kharar, recorded the statements of both the parties and submitted a report dated 2.2.2018, which is as under:-

“I) There are 04 persons, who are facing trial namely Kuldeep Singh, Surmukh Singh, Babaljit Singh and Yogesh Kumar (as per the FIR and as per statement of I.O.).

II) The case FIR is at the stage of awaiting challan in this case.

III) From statements of above persons, ex-facie, it transpire that the compromise is genuine, without any threat, coercion or undue influence, voluntarily and is out of free will of the parties i.e. complainant Rohit Mehndiratta and the accused namely Kuldeep Singh, Babaljit Singh and Yogesh Kumr as mentioned in itself. However, the accused Surmukh Singh did not come present for recording his statement.”

A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. No objection has been raised by the learned State counsel on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

5. In view of the above, this Court is fully convinced that the

offences are entirely personal in nature and do not involve any public funds and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the aforesaid FIR and all consequential proceedings resulting therefrom are quashed qua petitioners.

6. Petition is allowed.

22.5.2018
Gaurav Sorot

(MAHABIR SINGH SINDHU)
JUDGE

- | | | |
|----|------------------------------|------------|
| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |