

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(1) CRM-M-49898-2017

Surinder Kaur and othersPetitioner(s)

Versus

State of Punjab and anotherRespondent(s)

(2) CRM-M-49919-2017

Bhola Singh and anotherPetitioner(s)

Versus

State of Punjab and anotherRespondent(s)

Date of decision: - 22.02.2018

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.S. Barnala, Advocatel
for the petitioners in **CRM-M-49898-2017**.

Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioners in **CRM-M-49919-2017**.

Mr. Tanvir Joshi, AAG, Punjab.

Ms. Gagandeep Kaur, Advocate
for Mr. Ankush Singla, Advocate
for respondent No.2 in both the cases.

MAHABIR SINGH SINDHU, J. (ORAL)

As identical questions of law and facts are involved, therefore, it is just and appropriate to decide the above mentioned petitions, arising out of the same incident/FIR, by means of this common order, in order to avoid the repetition.

2. Present petitions are filed praying for quashing FIR No.69 dated 16.06.2017, under Sections 406, 420 and 120-B IPC, registered at Police Station Tapa Mandi, District Barnala, on the basis of compromise entered into between the parties.

3. Heard.

4. Both the parties were directed by this Court vide order dated 24.01.2018 to appear before the learned Illaqa Magistrate and get their statements recorded and in pursuance thereof, learned Judicial Magistrate 1st Class, Barnala, recorded the statements of both the parties and submitted a report dated 15.02.2018. A perusal of the report reveals that the compromise entered into between the parties is voluntarily, genuine, without any coercion and undue influence. 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 both the cases.

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 therefrom, qua petitioners only, are quashed.

6. Petitions are allowed.

**(MAHABIR SINGH SINDHU)
JUDGE**

February 22, 2018

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Whether reportable?

Yes

Whether reasoned/speaking?

Yes