

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

CRM-M-6474-2017

Date of decision: January 19, 2018

Shukhdev Singh and others

.... Petitioners

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vikram Rana, Advocate
for the petitioners.

Mr. Pawan Garg, AAG, Haryana.

Mr. Diwan S. Adlakha, 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.170 dated 11.09.2016, under Sections 420, 406, 506, 120B of Indian Penal Code and Section 10 of Immigration Act, registered at Police Station Chhapar District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise deed dated 11.01.2017 (Annexure P-2).

Reply by way of affidavit of Randhir Singh HPS, Deputy Superintendent of Police, Bilaspur (Yamuna Nagar) on behalf of respondent No.1 has been filed in Court today with copy thereof to learned counsel for the petitioner and same is taken on record.

This Court vide order dated 27.02.2017 had directed the parties to appear before the Illaqa 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, Yamuna Nagar, Jagadhri and got their statements recorded. On the basis of the statements so recorded, learned Judge has submitted report dated 26.04.2017 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 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.170 dated 11.09.2016, under Sections 420, 406, 506, 120B of Indian Penal Code and Section 10 of Immigration Act, registered at Police Station Chhappar District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise deed dated 11.01.2017 (Annexure P-2).

January 19, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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