

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8663-2017
Date of decision:1.3.2018

Sukhnam Singh @ Sukha

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Dinesh Mahajan, Advocate
for the petitioner.

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

Ms. Rimple Saini, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.65 dated 6.8.2016, under Sections 170, 171, 420/120-B Indian Penal Code ('IPC' - for short) registered at Police Station Sri Hargobindpur, Tehsil Batala, District Gurdaspur on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 1.2.2018 to appear before the learned Illaqa Magistrate/trial Court and get

their statements recorded and in pursuance thereof, learned Judicial Magistrate Ist Class, Batala, recorded the statements of both the parties and submitted a report dated 22.2.2018. 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. It is further stated by learned State counsel that even report under Section 173 Criminal Procedure Code ('Cr.P.C.' - for short) has not been submitted so far 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, therefore, continuance of the prosecution would be an exercise in futility. Consequently, the aforesaid FIR and all consequent proceedings resulting therefore are quashed qua petitioner(s).

6. Petition is allowed.

**(MAHABIR SINGH SINDHU)
JUDGE**

1.3.2018

Gaurav Sorot

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