

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

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CRM-M No.8932 of 2017

Date of Decision: January 23rd, 2018

Ajmer Singh

.....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Preetwinder Singh Dhaliwal, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab.

Mr. Devender Singh, Advocate
for respondent Nos.2 to 5.

AUGUSTINE GEORGE MASI, J. (ORAL)

The present petition has been filed by the petitioner, who is accused in FIR No.22 dated 29.07.2012 under Sections 420, 465, 467, 468, 471, 474, 120-B IPC, registered at Police Station Thulliwal, District Barnala, for quashing the said FIR and subsequent proceedings arising out of the same on the basis of compromise dated 24.05.2015 (Annexure P-2).

On 10.11.2017, when this case came up for hearing, following order was passed:-

“At this stage, Mr. Davinder Singh Dhillon, Advocate has appeared and filed power of attorney on behalf of respondent Nos.3 to 5. Same is taken on record.

Service is complete.

Learned counsel for the petitioner as well as learned counsel for respondent No.2 to 5 state that compromise has been effected between the parties.

Now the parties are directed to appear before the learned trial Court where the case is pending on 29.11.2017 and to get recorded their statements regarding compromise and after recording their statements, learned trial Court, is

directed to send the report regarding the genuineness of compromise on or before the date fixed i.e.23.01.2018.

A copy of this order be sent to learned trial Court, through fax, for compliance.

To be shown in the urgent list.”

In compliance with the said order, parties appeared before the trial Court and their statements were recorded. After the recording of the statements, learned Chief Judicial Magistrate, Barnala, has proceeded to submit his report, according to which the compromise which has been entered into between the parties, is genuine, without any pressure, coercion or influence. It is stated that the compromise has been effected between the parties with the intervention of the respectables of the village and that the complainant has no objection in case the FIR and all consequential proceedings arising therefrom are quashed.

In view the above report of Chief Judicial Magistrate, Barnala, and also keeping in view the facts and circumstances of the present case as also the 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*** as also the judgment of Supreme Court in ***Narinder Singh and others Versus State of Punjab 2014 (2) RCR (Criminal) 482***, the present petition is allowed and FIR No.22 dated 29.07.2012 under Sections 420, 465, 467, 468, 471, 474, 120-B IPC, registered at Police Station Thulliwal, District Barnala, and all consequential proceedings arising therefrom, are hereby quashed.

January 23rd, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE