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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.7035 of 2018
Date of Decision: 16.05.2018

Nirmal Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Anutej Singh Barnala, Advocate,
for the petitioner.

Mr. Davinderbir Singh, D.A.G., Punjab,
for respondent No.1.

None for respondent No.2/complainant.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No.122, dated 22.07.2016, under Sections 406 and 420 of the Indian Penal Code and Section 24 of the Immigration Act, registered at Police Station Phase-1, SAS Nagar Mohali (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, respondent No.2 has arrived at a settlement with the accused vide statement (Annexure P-2) which is duly signed by her. The matter was referred to the Court below for recording of statements of the parties and to

report with respect to genuineness of the compromise arrived at between the parties. The Chief Judicial Magistrate, Mohali, vide report dated 09.04.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Neither respondent No. 2 nor her Counsel is present. However, she has made statement on 07.01.2017, before the Chief Judicial Magistrate, Mohali, whereby she has admitted the factum of compromise with the accused, voluntarily and without any undue influence or coercion.

[4]. In terms of the report of the Chief Judicial Magistrate, Mohali, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has herself compromised the dispute with the petitioner/accused.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.122, dated 22.07.2016, under Sections 406 and 420 of the Indian Penal Code and Section 24 of the Immigration Act, registered at Police Station Phase-1, SAS Nagar Mohali(Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

16.05.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No