

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-12595-2019 in/and
CRM-M-7264-2019

Date of Decision: 10.05.2019

Surinder Singh @ Surinder Deen and others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Harparteek Singh Sandhu, Advocate for the petitioners.

Ms. Sudeepti Sharma, Addl. AG, Punjab.

Mr. Ashis Gupta, Advocate for respondents No. 2 and 3.

Mr. Sandeep Kumar, Advocate
for applicant-Harkirat Singh (in CRM-12595-2019).

Mr. RS Pandher, Advocate
for the applicants-Harinder Singh and Jaspal Singh
(in CRM-12595-2019).

RAMENDRA JAIN, J. (ORAL)

CRM-12595-2019

Fresh Vakalatnama filed on behalf of applicant-Harkirat Singh, along with his affidavit is taken on record. Be tagged at the appropriate places.

Through this application under Section 482 Cr.P.C. prayer has been made for impleading the applicants as respondents No. 4 to 6.

Heard.

Learned counsel for the applicants contends that the applicants are Panch and Sarpanch of the village. Some Government record was manipulated. Therefore, they are effected persons. placing reliance upon judgments in **Smt. Rumi Dhar Vs. State of West Bengal and another, 2009 (2) (Cri) 1074** and **Devender Singh and others Vs. State and anr., 2008(8) RCR (Criminal) 289**, learned counsel for the applicants urged that this is a case of forgery in the official record by the petitioner. Therefore, the offence committed by him was against the society.

On the other hand, learned counsel for the petitioners vehemently opposed the present application.

Having given thoughtful consideration to the rival submissions, this Court does not find favour with the applicants, inasmuch as, learned counsel for the applicants has miserably failed to shwo as to how they are personally affected from compromise arrived at between the petitioner and respondents No. 2 and 3.

The facts and circumstances of the judgments relied upon by learned counsel for the applicants are distinct from the facts of present case, Therefore, no benefit, whatsoever, of the same can be given to the applicants.

The instant application, being meritless, is dismissed.

CRM-M-7264-2019

Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 176 dated 23.10.2015 (Annexure P-1) registered under Sections 420, 465, 468, 471 and 120-B IPC at Police Station Fatehgarh District Fatehgarh Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 04.10.2018 (Annexure P-2).

Pursuant to order dated 20.02.2019 of this Court, the parties appeared before the Judicial Magistrate Ist Class, Fatehgarh Sahib, on 20.03.2019, to get their statements recorded. Learned Judicial Magistrate Ist Class, Fatehgarh Sahib, has submitted her report vide letter No. 73 dated 30.03.2019, duly forwarded by the learned District and Sessions Judge, Fatehgarh Sahib, vide letter No. 2185/E.B., dated 04.04.2019.

According to the report, learned Judicial Magistrate Ist Class, Fatehgarh Sahib, is satisfied that compromise effected between the parties is genuine, voluntarily and without any coercion, duress or any undue influence.

In compliance of order dated 20.02.2019, cost of ₹ 15,000/- has also been deposited by the petitioners as per report of the Judicial Magistrate Ist Class, Fatehgarh Sahib, dated 30.03.2019.

Considering the report of Judicial Magistrate Ist Class, Fatehgarh Sahib dated 30.03.2019 and deposit of costs as well as the fact that the compromise will bring peace and harmony in relations between the parties, aforesaid FIR No. 176 dated 23.10.2015 (Annexure P-1) and

all subsequent proceedings arising therefrom, are quashed, qua the petitioners only.

Disposed of, accordingly

May 10, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether Reportable **Yes/No**