

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

**CRM-M No.15875 of 2019
Date of Decision: 08.07.2019**

SATNAM SINGH @ SATINAM

.....Petitioner

Versus

STATE OF PUNJAB AND ANR

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sumeet Puri, Advocate
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Mr. Ravi Chadda, Advocate for
Mr. H.S. Mann, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.32 dated 11.02.2019, under Sections 452, 323 and 506 of the Indian Penal Code, registered at Police Station City Sangrur, District Sangrur along with all consequential proceedings arising therefrom on the basis of compromise deed dated 01.04.2019(P-2) entered into between the parties i.e. petitioner as well as respondent No.2.

As per the allegations in the FIR, the complainant has been working

as an Advocate for the last 12 years at Sangrur. He has filed his vakalatnama for one Amandeep Kaur whereas one Sunil Sharma, Advocate has filed vakalatnama for Satnam Singh. Amandeep Kaur reached the Court on time, but Satnam Singh could not reach and due to that the case was adjourned to 21.02.2019. After coming out of the Court, petitioner-accused threatened the complainant and used filthy language against him. Thereafter, the petitioner went to the Chamber of the complainant and threatened him to teach a lesson and hit him on his face with some heavy material and also gave a punch blow. The complainant raised noise 'mar dita mar dita' and upon hearing this munshi of the complainant as well as other Advocates reached at the spot.

Heard learned counsel for the parties and perused the paper book.

On 05.04.2019, while issuing notice of motion the following order was passed by this Court:

“Contentends that matter has been compromised between the parties.

Notice of motion.

On the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent No.1/State.

Mr. H.S.Mann, Advocate, who is present in the Court, has filed power of attorney on behalf of respondent No.2. The same is taken on record.

He acknowledged the factum of compromise arrived at between the parties.

Requisite number of copies of the petition be supplied to learned Counsel for the respondents during the course of the day.

Petitioner will file his affidavit that there is no other criminal case pending against him and also give the details of any other FIR(s), which have already been quashed on the basis of compromise.

In view of above, let the parties appear before the Court of learned Illaqa Magistrate/trial Court on **15.05.2019** to record

their statements with reference to the compromise, if any, entered into between them.

Learned Illaqa Magistrate/trial Court will record the statements of all accused, complainant/injured and victim, if any and submit a report along with the statements to this Court before the next date of hearing containing the following information:-

(i). Whether the statements of the parties are bona fide and are not result of any pressure or coercion etc. in any manner?

(ii). Whether the compromise effected between the parties is genuine and valid?

(iii). Whether all the accused, complainant and injured are party to the compromise and if not, the details/particulars of such person(s)?

(iv). Whether any other case is pending against either of the parties or not, if yes, the details thereof?

(v). Whether any of the persons involved in this case/dispute has been declared a proclaimed offender?

(vi). whether any of the petitioner(s) is/are previous convict or not?

List before this Court on **08.07.2019** for further consideration.

Meanwhile, learned State Counsel shall also get the instructions in the matter as to whether the State has any objection or not?

Copy of this order be sent to learned Judicial Officer concerned forthwith for information and strict compliance.”

In terms of above order, the statements of the parties were recorded by learned Chief Judicial Magistrate, Sangrur and submitted a report dated 01.06.2019. The operative part of the same reads as under:-

'The compromise as per statements of complainant Amit Puri, Prince Kumar injured and Satnam Singh has been arrived at voluntarily and without any pressure or coercion between them which seems to be genuine and valid.'

A perusal of the aforesaid report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence and no one has been declared as

proclaimed offender in this case.

On instructions from ASI Maninder Singh, learned State Counsel has acknowledged the above fact and further stated that he has no objection in case the present FIR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties. Even before this Court also, there is no objection by either of the parties in case the present FIR is quashed.

In view of the above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace and tranquility, thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the present petition is allowed and the aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioner.

July 08, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>