

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-51446-2018 (O&M)

Date of Decision:- 18.3.2019

Dalbir Singh Negi

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Chander Kant Mahajan, Advocate, for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Satvir Singh, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of FIR No.136, dated 14.10.2016, registered at Police Station Sadar, Hoshiarpur, under Sections 406 and 420 IPC, and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. At this stage Mr. Satvir Singh, Advocate has appeared on behalf of respondent No.2 and filed his power of attorney. The same is taken on record.
3. Vide order dated 21.11.2018 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.

4. Report of learned Addl. Chief Judicial Magistrate, Hoshiarpur, has been received wherein it has been reported that statements of complainant Avtar Singh, Chairman-cum-Executive Officer of Citrus Estate, Hoshiarpur and also of petitioner/accused Dalbir Singh Negi have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that the matter has been compromised and he does not want to pursue with the matter. Learned Addl. Chief Judicial Magistrate, Hoshiarpur, opined that the compromise has been effected voluntarily and is genuine.
5. In view of the aforesaid report and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.136, dated 14.10.2016, registered at Police Station Sadar, Hoshiarpur, under Sections 406 and 420 IPC, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

March 18, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No