

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

CRM-M-61706-2018(O&M)

Date of decision:- 26.03.2019

Sadhu Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kawaljyot Singh, Advocate for the petitioners.

Ms. Rashmi Attri, AAG, Punjab

Mr. Yagyaang Ajay, Advocate
for respondent No.2-complainant.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek quashing of FIR No. 121 dated 27.07.2018 under Sections 420, 406 and 120-B IPC, Police Station Dharmkot, District Moga(Annexure P-1) and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Mr. Yagyaang Ajay, Advocate has put in appearance on behalf of respondent No.2-complainant and filed power of attorney, which is taken on record.
3. Vide order dated 07.01.2019 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded with regard to the genuineness of the compromise.
4. Report of learned Judicial Magistrate Ist Class, Moga, has been received wherein it has been reported that statements of the

petitioners as well as of Baldev Singh, respondent No.2-complainant have been recorded who have stated that they have compromised the matter and that Baldev Singh, complainant-respondent No.2 has no objection if the FIR is quashed. It has specifically been opined by learned Judicial Magistrate Ist Class, Moga that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

5. In view of the aforesaid compromise 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. 121 dated 27.07.2018 under Sections 420, 406 and 120-B IPC, Police Station Dharmkot, District Moga(Annexure P-1) and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

26.03.2019
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Whether reasoned/speaking? Yes / No

Whether reportable? Yes / No