

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

CRM-M-25932-2020
Date of decision: 14.10.2020

Yashin Khan and others**Petitioners.**

vs.

State of Punjab and another**Respondents.**

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Sunny K. Singla, Advocate, for the petitioners.

Mr. H.S. Multani, Assistant Advocate General, Punjab.

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Sanjay Kumar, J. (ORAL)

The petitioners are the accused in FIR No. 0045 dated 15.03.2020 on the file of Police Station Amargarh, District Sangrur, registered under Sections 420 and 120-B IPC. By way of this petition filed under Section 482 Cr.P.C., they seek quashing of the said FIR.

The basis for this prayer is the claim of the petitioners that they settled their disputes with the second respondent, the complainant at whose behest the subject FIR was registered. Compromise Deed dated 15.03.2020 executed in furtherance of such settlement is placed on record.

Taking note of this aspect on 03.09.2020, this Court directed the parties to appear before the Illaqua/Duty Magistrate on 23.09.2020 for recording of their statements with regard to the compromise. A report was directed to be submitted by the Illaqua/Duty Magistrate with regard to the number of persons arrayed as accused in the FIR; whether any of the accused is a proclaimed offender; and whether the compromise is genuine, voluntary and without any coercion or undue influence.

Pursuant thereto, the Judicial Magistrate First Class, Malerkotla, filed Report dated 25.09.2020. The same is taken on record. Therein, he stated that the parties appeared before him on 23.09.2020 and their statements were recorded. He further stated that there were only three persons arrayed as the accused in the subject FIR; that they were not declared as proclaimed offenders as per record; and that the compromise was genuine, voluntary and without coercion/undue influence.

Mr. Mahipal Singh Yadav, learned counsel, entered appearance for the second respondent and filed his power of attorney. The same is taken on record. He states that his client has no objection to the quashing of the subject FIR.

Mr. H.S. Multani, learned Assistant Advocate General, Punjab, states that the petitioners have no known criminal antecedents as no other FIR has been registered against them. He further states that as the offence is compoundable with the permission of the Court, the State would have no objection to the quashing of the subject FIR in the light of the settlement by and between the parties.

Given the aforestated facts, this Court is of the opinion that the compromise arrived at by and between the parties can be given effect to. In the light thereof, no purpose would be served in wasting the time and resources of the State in prosecuting this case further. Even if this case is taken to its logical conclusion, it would only be an exercise in futility as the parties have already settled their differences. Therefore, it would be better to give a quietus to the issue at this stage.

The petition is allowed. FIR No. 0045 dated 15.03.2020 on the file of Police Station Amargarh, District Sangrur, and all proceedings relating thereto shall accordingly stand quashed in their entirety.

(SANJAY KUMAR)
JUDGE

14.10.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no