

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25944-2020
Date of decision: 14.10.2020

Jagdish Singh @ Baldev Singh**Petitioner.**

vs.

State of Punjab and another**Respondents.**

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

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

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

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Sanjay Kumar, J. (ORAL)

The petitioner is the sole accused in FIR No. 34 dated 14.03.2020 on the file of Police Station Sadar Ahmedgarh, District Sangrur, registered under Section 420-IPC. By way of this petition filed under Section 482 Cr.P.C., he seeks quashing of the said FIR.

The basis for seeking this relief is the settlement of the dispute by the petitioner with the second respondent, the complainant at whose behest the subject FIR was registered. A compromise deed is produced in proof of such settlement. The same is taken on record.

Taking note of this aspect on 03.09.2020, this Court directed the parties to appear before the Illaqa/Duty Magistrate on 23.09.2020 for recording of their statements. A report was directed to be submitted by the Illaqa/Duty Magistrate with regard to the persons arrayed as accused in

the FIR; whether any accused is a proclaimed offender; and whether the compromise is genuine, voluntary and without coercion/undue influence.

Pursuant thereto, the Judicial Magistrate First Class, Malerkotla, filed Report dated 01.10.2020. 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 petitioner has no known criminal antecedents as no other FIR has been registered against him. He further states that as the offence is compoundable with the permission of the Court, the State has no objection to the quashing of the subject FIR in the light of the settlement by and between the parties.

Given the aforesaid facts and as the alleged offence does not have sinister connotations, this Court is of the opinion that the compromise arrived at by and between the parties can be given effect to.

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, no purpose would be served in wasting the time and resources of the State in pursuing this case to its pre-ordained end. In consequence, it would be better to give a quietus to the issue at this stage.

The petition is accordingly allowed. FIR No. 34 dated 14.03.2020 on the file of Police Station Sadar Ahmedgarh, District Sangrur, and all proceedings relating thereto shall stand quashed in their entirety.

(SANJAY KUMAR)
JUDGE

14.10.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no