

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

**CRM-M-31623-2019
Date of Decision: 17.01.2020**

Satpal Singh

... Petitioner

v/s

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sandeep Kumar Bokolia, Advocate for the petitioner.
Mr. Kuldeep Singh, Advocate for respondent No.2.
Ms. Jasleen Kaur, AAG, Punjab.

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VIVEK PURI, J. (ORAL)

Present petition under Section 482 Cr.P.C. is for quashing of FIR No. 198 dated 30.08.2018, under section 420 IPC registered at Police Station City Faridkot, District Faridkot and all the consequential proceedings arising therefrom, on the basis of compromise dated 04.07.2019 (Annexure P-2).

On 11.09.2019, notice of motion was issued and parties were directed to appear before the Trial Court and get their statements recorded with regard to the compromise arrived at between them.

The Trial Court was directed to record the statements of all the concerned and sent his report regarding genuineness and voluntary nature of the compromise.

In compliance of the order dated 11.09.2019, learned Chief Judicial Magistrate, Faridkot has recorded the statements of the parties and submitted his report, the relevant para whereof reads as under:-

*“Both the parties have got recorded their
statements that with the intervention of the*

respectables of the society, compromise has been effected between them, which is genuine, voluntary and without any pressure or coercion. The complainant - Nishan Singh also got recorded in his statement that he has no objection if the present FIR as well as all the proceedings arising therefrom are quashed”.

After hearing learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise (Annexure P-2). The compromise is without any pressure and is a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

It has been stated that the entire money has been received by respondent No.2-complainant.

Accordingly, the present petition is allowed and FIR No. 198 dated 30.08.2018, under section 420 IPC registered at Police Station City Faridkot, District Faridkot and all the consequential proceedings arising therefrom are quashed.

17.01.2020

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No