

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

CRM-M-2502 of 2021.

Decided on:- April 01, 2021.

Manjinder Singh.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

CORAM: *HON'BLE MR. JUSTICE HARI PAL VERMA.*

Present:- Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. Parveen Sharma, Advocate for
Mr. Jagdeep Singh, Advocate
for respondent No.2-complainant.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.201 dated 21.11.2020 under Sections 457, 380 and 506 IPC registered at Police Station Sadar Kharar, District S.A.S. Nagar (Mohali) (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise in the shape of affidavits dated 28.12.2020 and 22.12.2020 (Annexures P-2 & P-3 respectively).

This Court vide order dated 19.01.2021 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Kharar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.02.2021 to the effect that the compromise effected between the parties appears to be genuine and valid and the same is not the result of any pressure or coercion etc.

Respondent No.2-complainant, namely, Amarjit Singh made his statement with regard to compromise before learned Magistrate on 27.01.2021, which reads as under:

“Stated that one FIR No.201 of 2020 under Sections 380, 457, 506 of IPC, PS Sadar Kharar was lodged by me against the accused persons Manjinder Singh, Giri and unknown persons. Now, with the intervention of respectables, I have voluntarily entered into compromise with Manjinder Singh and Others out of my free will and without any pressure or undue influence, coercion, inducement, threat or promise from any side. There is no other case between either of the parties. Neither I, nor accused Manjinder Singh have been ever declared PO. I have no objection if the above said FIR was quashed by Hon’ble Punjab and Haryana High Court against the accused persons. Copy of my driving licence is Ex.PA.

Learned State counsel and learned counsel for the respondent No.2-complainant have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR qua the petitioner.

Thus, following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of***

Punjab and another 2007 (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.201 dated 21.11.2020 under Sections 457, 380 and 506 IPC registered at Police Station Sadar Kharar, District S.A.S. Nagar (Mohali) (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise in the shape of affidavits dated 28.12.2020 and 22.12.2020 (Annexures P-2 & P-3 respectively).

April 01, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No