

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 1942 of 2020 (O&M)
Date of Decision: 03.12.2021

Gurinder Pal Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Sidhant Vermani, Advocate for
Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Ms. Pratula Sethi, Advocate
for respondent No. 2.

SURESHWAR THAKUR, J. (ORAL)

1. Through the instant petition, cast under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 79 dated 27.3.2012, registered at Police Station Cantonment, District Amritsar City, constituting therein an offence, under Section 420 IPC, and, also all the consequential proceedings arising therefrom, hence on the basis of compromise dated 23.12.2013 (Annexure P-3), arrived at between the parties.

2. The learned State counsel submits, that the report under Section 173 Cr.P.C., has been submitted before the learned Magistrate concerned but the charges have yet not been framed.

3. When the instant petition came up before this Court, on 04.8.2021, an order was made upon the learned Magistrate concerned, to

make a report to this Court, with respect to the genuineness of the

compromise, and, as also whether all the accuse/petitioners are appearing before the Court, and, besides whether any other proceeding is pending against the accused/petitioner. The afore order, makes it apparent that the petitioner had depended, upon, a compromise/settlement, arrived at, in respect of the FIR (supra) with the complainant-respondent.

4. The afore made order by this Court on 04.8.2021, has been complied with by the learned Magistrate concerned, and, the elicited report has been placed on record. A perusal of the report, transmitted to this Court, by the learned Magistrate concerned, reveals that the settlement/compromise, arrived at *inter se* the petitioner, and, the respondent No. 2, is a sequel of both, being *ad idem* qua it, besides the compromise/settlement being a sequel of no pressure or coercion, being exercised upon each other. Therefore, the learned Magistrate has reported that the settlement/compromise, depended upon by the petitioner, for seeking the quashing of the FIR (supra), is both voluntary, and, genuine. Moreover, it is also evident from a perusal of the report that the order made by this Court on 4.8.2021, directing to deposit Rs. 50,000/- has been complied with, by the petitioner.

5. Since, the offences carried in the FIR (supra), are compoundable, and, also when a valid compromise has been entered into, *inter se*, the accused petitioner, and, the respondent(s)-complainant, besides when the learned State Counsel has stated that the challan has been filed but the charges are yet to be framed. Consequently, there is no impediment upon this Court to accept the settlement, and, to also proceed to quash the FIR and also all consequential proceeding, hence arising therefrom.

6. Accordingly, FIR No. 79 dated 27.3.2012, registered at Police

Station Cantonment, District Amritsar City, constituting therein an offence under Section 420 IPC, and, also all the consequential proceedings, hence arising therefrom, are quashed qua the petitioner.

(SURESHWAR THAKUR)
JUDGE

December 03, 2021
Gurpreet

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