

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

121-a

CRM-M-4085-2021

Date of Decision:04.10.2021

Kuldip Singh Mamdu and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.A.P.S.Sandhu, Advocate
for the petitioners.

Mr.Ramdeep Pratap Singh, DAG Punjab

Mr.Gursimranjit Singh, Advocate
for respondent No.2

Amol Rattan Singh, J. (Oral)

By this petition, the petitioners seek quashing, on the basis of a compromise arrived at between the petitioners and respondent no.2, of FIR No. 133 dated 24.07.2019, registered at Police Station B.Division, Police Commissionerate, Amritsar, for the alleged commission of offences punishable under Sections 406, 420, 465, 467, 468, 471 and 120-B IPC, as also all other subsequent proceedings arising therefrom. A copy of the compromise deed dated 23.01.2021 has been annexed as Annexure P-2 with the petition.

Pursuant to the orders of this Court dated 29.01.2021 and 20.07.2021, the report of the learned Judicial Magistrate First Class, Amritsar, dated 27.08.2021, has been received, stating therein that the statement of the complainant in the FIR, i.e. respondent No.2- Upkar Singh Sandhu, was recorded before that Court to the effect that he has compromised the matter with all the accused without any pressure,

threat or undue influence, with the statements of the petitioners, i.e. the four accused,

also having been recorded (though that of Manmohan Singh-petitioner No.4 had been recorded through his special attorney, Kuldeep Singh Mamdu- petitioner No.1), to similar effect.

The statement of the investigating officer was also recorded to the effect that only four accused have been arraigned as such in the FIR in question. However, another FIR No.21, dated 18.01.2020, has also been registered at Police Station Civil Lines, Amritsar, arraigning the aforesaid Manmohan Singh as an accused, the allegation therein being the commission of an offence punishable under Section 174-A IPC.

As per the assessment of the learned Judicial Magistrate First Class, Amritsar, the compromise arrived at between the parties is of their own free will.

According to learned State counsel, on instructions from ASI Ravinder Sharma, there is no other criminal case registered against the petitioners (other than petitioner No.4, Manmohan Singh).

That being so, looking at the nature of offences involved, with the matter having been amicably settled between the parties, the petition is allowed and FIR No. 133 dated 24.07.2019, registered at Police Station B.Division, Police Commissionerate, Amritsar, for the alleged commission of offence punishable under Sections 406, 420, 465, 467, 468, 471 and 120-B IPC, along with all proceedings emanating therefrom, is hereby quashed.

04.10.2021

(AMOL RATTAN SINGH)

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JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No