

CRM-M No.8172 of 2021

Date of Decision : 31.03.2021

Jaswant Singh

.....Petitioner

Versus

State of Punjab & another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Pardeep Sihmar, Advocate
for the petitioner.

Ms. Monika Jalota, D.A.G., Punjab.

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is the accused in F.I.R No.93 dated 07.05.2019, under Sections 406, 420 and 120-B of IPC, registered at Police Station Phase 1, District S.A.S. Nagar (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Affidavit (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Ld. Judicial Magistrate, 1st Class, S.A.S. Nagar, Mohali vide report dated 05.04.2021 has apprised this Court that the compromise arrived

at between the parties is genuine and without any pressure.

3. Respondent No.2 is not present nor he is represented by his Counsel. However, Respondent No.2 has made statement on 27.02.2021, before the Ld. Judicial Magistrate, 1st Class, S.A.S. Nagar, Mohali, whereby he has admitted the factum of compromise with the accused and deposed that the compromise has been effected between them voluntarily and without any undue influence, coercion or pressure.

4. In view of the report of the Ld. Judicial Magistrate, 1st Class, S.A.S. Nagar, Mohali, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the Respondent No.2 has himself compromised the dispute with the accused.

5. In the circumstances, the present petition is allowed. F.I.R No.93 dated 07.05.2019, under Sections 406, 420 and 120-B of IPC, registered at Police Station Phase 1, District S.A.S. Nagar (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

31.03.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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