

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

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CRM-M-22690-2021 (O&M)

Date of decision : 26.08.2021.

Varinder Kumar alias Binder

... Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Bhupinder Banga, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Raj Sumer Singh, Advocate for respondent No.2.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioner is seeking quashing of FIR No.45 dated 14.04.2021, under Section 380 IPC registered at Police Station Mehtiana, District Hoshiarpur, on the basis of compromise dated 19.05.2021 (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioner contends that it is alleged that the petitioner had stolen an iron weighing machine from the complainant. He, however, contends that the FIR was lodged on the basis of misunderstanding which has now been resolved and the matter has been compromised. He has referred to the copy of the compromise at Annexure P-2.

Learned counsel for respondent No.2 states that the matter has indeed been compromised.

This Court vide order dated 05.07.2021 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements

and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the Judicial Magistrate 1st Class, Hoshiarpur dated 16.07.2021 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is outcome of a misunderstanding which has now been resolved and the matter has been compromised. In view of the law laid down by the Supreme Court in the case of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.45 dated 14.04.2021, under Section 380 IPC registered at Police Station Mehtiana, District Hoshiarpur and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

Pending application, if any, shall stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

August 26, 2021

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No