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

(Proceedings through Video Conferencing)

CRM No.5390 of 2021
in/and
CRM-M No.8036 of 2017
Date of Decision: 02.03.2021

Bohar Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

CORAM :- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present:- Mr. P.P.S. Duggall, Advocate
for the petitioner.

Mr. Luvinder Sofat, A.A.G., Punjab.

Mr. Sehaj Bir Singh, Advocate
for respondent No.3.

Manjari Nehru Kaul, J. (Oral)

CRM No.5390 of 2021

This application has been moved for preponing the date fixed in
the main case to an early date of hearing.

Criminal Misc. Application is allowed and the main case is
taken up for hearing today itself.

CRM-M No.8036 of 2017

The instant petition is for quashing of FIR No.89 dated
30.11.2015 registered under Sections 353, 186, 332, 323/34 IPC and 135 of

the Electricity Act, 2003 at Police Station Lakho Ke Behram, District Ferozepur, on the basis of compromise (Annexure P-2).

In compliance of order dated 02.11.2018 passed by a Co-ordinate Bench, the report from the District and Sessions Judge, Ferozepur has been received, wherein, the factum of compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will. The trial Court has annexed the statements of the parties along with its report.

Learned State counsel has also affirmed the factum of compromise entered into between the parties.

On 13.12.2019, this Court had directed respondent No. 3 to apprise this Court as to whether any action had been initiated against their officer who had compromised the matter with the petitioner qua the alleged offences.

Learned counsel, who has appeared on behalf of respondent No.3, has apprised the Court that the officer concerned, who had compromised the matter with the petitioners, has since retired and he fairly submits that respondent No.3-Punjab State Electricity Board, through SDO, Mamdot, District Ferozepur, has not initiated any action against the said officer for entering into a compromise with the petitioners.

In view of the report of the learned District and Sessions Judge, Ferozepur and the principles laid down by the Hon'ble Apex Court in ***Gian Singh vs State of Punjab and others 2012(10) SCC 303***, and also by the Full Bench of this Court in ***Kulwinder Singh and others vs State of Punjab and another, 2007(3) RCR (Criminal) 1052***, the instant petition is

allowed. The aforementioned FIR and all consequential proceedings arising out of it, are quashed.

Needless to say that the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

March 02, 2021
gurpreet

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