

221.

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

CRM-M-39047-2020

Date of decision: 16.03.2021

AMRIK SINGH

... Petitioner

versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Namit Khurana, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana,
for respondent No.1.

None for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.134 dated 18.06.2020 registered under Sections 420, 406 of IPC and Sections 10, 24 of Immigration Act, 1983 at Police Station Garhi, District Jind (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 12.10.2020 (Annexure P-2).

This Court vide order dated 01.12.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Narwana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.01.2021 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Amandeep Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 14.01.2021. The same is reproduced as under:-

“Stated that a compromise has been effected with the accused upon my free will and volition and without any kind of undue influence or coercion. I have no objection, if the FIR in the present case is quashed. Now, the matter has been settled amicably. I have no grievance against accused.”

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.134 dated 18.06.2020 registered under Sections 420, 406 of IPC and Sections 10, 24 of

Immigration Act, 1983 at Police Station Garhi, District Jind (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise/affidavit dated 12.10.2020 (Annexure P-2), however, that would be subject to payment of costs of Rs.20,000/- to be deposited by the petitioner with the High Court Bar Association in the Lawyers' Welfare Fund, within one month from today.

(HARI PAL VERMA)
JUDGE

16.03.2021
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No