

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

230

CRM-M-43966-2020

Date of Decision:31.03.2021

Ravinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Ms. Mankirat Kaur Sra, Advocate,
for the petitioner.**

**Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab,
for respondent No.1.**

**Ms. Ruchi Sekhri, Advocate,
for respondent No.2.**

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.05 dated 29.02.2020 under Section 420 IPC and Section 7 of the Prevention of Corruption Act, registered at Police Station Vigilance Bureau Bathinda, District Bathinda(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of affidavit dated 29.11.2020(Annexure P-3).

Learned counsel for the petitioner submits that in terms of the order dated 04.01.2021 passed by this Court, cost has been paid.

This Court vide order dated 04.01.2021 had directed the parties

to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Bathinda and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.02.2021 to the effect that the statements of the parties appear to be bonafide and have been suffered by them out of their free will and the same are not the result of any pressure, undue influence or coercion in any manner.

Respondent No.2-complainant, namely, Sukhmandar Singh, has made a statement with regard to compromise before learned Magistrate on 10.02.2021. The same is reproduced as under:-

“I have brought my Adhar Card to prove my identity and placed on record self attested copy of the same.

I am complainant of case FIR No.5 dated 29.02.2020, under Section 420 IPC & Section 7 of Prevention of Corruption Act, Police Station Vigilance Bureau Bathinda, District Bathinda, registered only against the accused -petitioner namely Ravinder Singh and no other person is named as accused in the present FIR. With the intervention of respectables, I have arrived at compromise with the above named accused-petitioner, without any pressure or coercion. The compromise is genuine and voluntarily and the same is in the interest of the parties. The accused has filed a petition before Hon'ble High Court bearing No.CRM-M-43966-2020 on the basis of compromise, for quashing the aforesaid FIR registered against him. I have no grudge against the accused/petitioner. I have brought the original affidavit duly attested which bears my signature and photocopy of the same is Ex.CX. I do not want to proceed with present case against the accused. I have no objection if FIR No.5 dated 29.02.2020, under Section 420 IPC & Section 7 of

Prevention of Corruption Act, Police Station Vigilance Bureau Bathinda, District Bathinda, is quashed.”

Learned State counsel as well as learned counsel for respondent No.2 have 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 FIR No.05 dated 29.02.2020 under Section 420 IPC and Section 7 of the Prevention of Corruption Act, registered at Police Station Vigilance Bureau Bathinda, District Bathinda (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of affidavit dated 29.11.2020 (Annexure P-3).

March 31, 2021
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No