

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229

CRM-M-768 of 2021
Date of Decision:27.04.2021

Harpreet Singh @ Happy and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jasinder Singh Thind, Advocate,
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Mr. Shubham, Advocate,
for respondent no.2.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

On 08.01.2021, the following order had been passed:-

“Case heard by video conferencing.

By this petition, the petitioners seek quashing, on the basis of a compromise arrived at between them and respondent no. 2, of FIR no.39 dated 06.02.2011, registered at Police Station Civil Lines, District Amritsar (Rural), for the alleged commission of offences punishable under Sections 436, 506 and 427 of the IPC, as also all other subsequent proceedings arising therefrom. A copy of the compromise deed has been annexed as Annexure P-2 with the petition.

Notice of motion.

Ms. Monika Jalota, D.A.G., Punjab, accepts notice at the asking

of the court on behalf of respondent no.1, with Mr. Shubham Mirok, Advocate, appearing for respondent no.2.

A copy of the petition be emailed to learned counsel for the respondents by learned counsel for the petitioners today itself.

Adjourned to 26.04.2021.

In the meanwhile, the petitioners, as also respondent no. 2, would appear before the learned trial court/Ilaqa Magistrate upto 08.03.2021 to record their statements. The trial court/Ilaqa Magistrate would satisfy itself/herself/himself with regard to the authenticity of the compromise and the fact that it has been arrived at without any kind of undue influence or pressure, and would thereafter send its/her/his report to this court, before the next date of hearing.

That court would also verify whether there is any other person involved in the occurrence, who is not a party to the present petition and whose consent for the compromise would be required, if this court comes to the conclusion that the FIR sought to be quashed can be so quashed.

Learned State counsel would also verify whether there are any criminal cases, of like nature or otherwise, pending against the petitioners.

A gazetted officer is also directed to file a reply to the petition.”

Pursuant thereto, the report of the learned CJM, Amritsar, dated 16.03.2021, is on record, stating to the effect that the petitioners as also respondent no.2 (complainant in the FIR) appeared before that court and recorded their statements to the effect that the matter has indeed been compromised between them, with that court also having observed that there is only one complainant/victim in the FIR and further, that there is no other criminal case pending against the petitioners as per the Investigating Officer.

As per the opinion of that court, the compromise arrived at between

the parties is genuine and voluntary, with copies of the statements also having been annexed with the report.

That being so, the petition is allowed and FIR No.39, dated 06.02.2011, registered at Police Station Civil Lines Amritsar City, District Amritsar, for the alleged commission of offences punishable under Sections 436, 506 and 427 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

April 27, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No