

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

244

**CRM-M-5370 of 2020
Date of Decision:05.08.2022**

Sukhwinder Singh @ Laddi

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. A.P. Kaushal, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab

Mr. Rakesh Gupta, Advocate, for
Mr. Gurbir Singh Sandhu, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

This case has been taken up out of turn on the request of learned counsel for the parties, on the ground that the statements of the parties in respect of the compromise reached between them have been recorded and therefore the petition may be disposed of in terms thereof, it having remained pending for the past two years only for that purpose.

On 06.02.2022 the following order had been passed by this court:-

“Prayer in this petition is for quashing of the FIR in question on the basis of the compromise entered into between the parties.

Notice of motion.

At this stage, Mr. G. S. Sandhu, Advocate puts in appearance

on behalf of respondent No. 2/complainant and files his Vakalatnama. He admits to the factum of compromise entered into between the parties.

List again on 12.05.2020.

In the meantime, the parties are directed to appear before the trial Court/Illaqa Magistrate for recording of their statements with regard to compromise/settlement within a period of 30 days from today.

The trial Court/Illaqa Magistrate is directed to submit a report on or before the next date of hearing containing the following information:

1. Number of persons arrayed as accused in FIR,
2. Whether any accused is proclaimed offender,
3. Whether the compromise is genuine, voluntary and without any coercion or undue influence,
4. Whether the accused persons are involved in any other FIR or not.
5. The trial Court is also directed to record the statement of the Investigating Officer as to how many victims/complainants are there in the FIR.”

Pursuant thereto, the report of the learned JMIC, Ludhiana, dated 04.03.2020, is on record, stating to the effect that respondent no.2, i.e. the complainant in the FIR, Kamaljit Kaur, appeared before that court on 24.02.2020 and stated that the matter has indeed been compromised between her and the accused, i.e. the petitioner Sukhwinder Singh @ Laddi, and that she does not wish to pursue the criminal proceedings.

The petitioner also made a statement as regards the compromise, before that court.

It has also been stated that as per the complainant there was no other accused except the petitioner herein and further, that there was no other person aggrieved of the occurrence.

As per the statement of the investigating officer also before that court, there is no other criminal case pending against the petitioner, who has also not been declared to be a proclaimed offender.

As per the assessment of that court, the compromise arrived at is without any coercion or undue influence.

That being so, looking at the nature of the offences alleged to have been committed, with the matter having been duly compromised between the parties, which learned counsel appearing for respondent no.2 does not deny even today, the petition is allowed and FIR no.208, dated 04.10.2019, registered against the petitioner at Police Station Haibowal, Police Commissionerate, Ludhiana, for the alleged commission of offences punishable under Sections 452, 323, 324, 506 and 427 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

August 05, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No