

Gurpinderpal Singh alias Pali

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGHPresent: Mr. Bhupinder Ghai, Advocate,
for the applicant/petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. Sumeet Puri, Advocate,
for respondent no.2.

AMOL RATTAN SINGH, J. (Oral)**CRM-24917-2022**

By this application, advancement of the date of hearing in the accompanying petition is sought, which otherwise stands adjourned to 16.09.2022.

Notice in the application, with Mr. Rana Harjasdeep Singh, DAG, Punjab, accepting notice at the asking of the court.

The application is allowed, with the date of hearing in the accompanying petition advanced to today itself.

CRM-M-15188 of 2022

On 08.04.2022, the following order had been passed by this court:-

“Learned counsel refers to Annexure P-2 to contend that a compromise has been effected between the parties and prays for

quashing of FIR No.298 dated 13.11.2020 registered under Sections 420 and 120-B IPC and Sections 4 and 5 Prize chits and Money Circulation Scheme (Banning Act, 1978) at Police Station City Sangrur, District Sangrur.

Notice of motion for 16.09.2022.

At this stage, Mr. Dhruv Dayal, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State, whereas Mr. Sumeet Puri, Advocate causes representation on behalf of respondent No.2 and admits the factum of compromise.

Accordingly, the private parties are directed to appear before the trial Court/Illaq Magistrate on or before 18.05.2022 for recording their statements with regard to compromise/settlement. Trial Court/Illaq 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 case 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.

A copy of the report be also sent through fax to the Registrar Judicial of this Court.”

Pursuant thereto a report dated 13.06.2022 has been received by the CJM, Sangrur, in which it is stated that respondent no.2, Chamkaur Singh (complainant in the FIR), stated before that court that though he had registered the complaint making the same allegations against the petitioner Gurbinder Pal Singh and one Jitender Singh alias Gagan, he has compromised the matter with the petitioner without any pressure and coercion and that he has no objection if the FIR in question was quashed

qua the petitioner only.

The petitioner also made a statement to the effect that the matter has indeed been compromised between him and the complainant.

ASI Amrik Singh recorded a statement before that court that Chamkaur Singh was the only victim in the FIR and that the petitioner had not been declared to be a proclaimed offender in any criminal case including the one in question, though there was another FIR registered against him at Police Station City Sangrur, also alleging therein the commission of offences punishable under Section 420/406/120-B of the IPC.

Learned counsel appearing for respondent no.2 today also submits that the compromise between the petitioner and the said respondent still subsists; and with learned counsel for the petitioner further submitting that in fact even *qua* the other FIR registered making allegations against the petitioner (FIR no.168, dated 02.06.2017), statements *qua* a compromise with the complainant therein have also been recorded.

Without making any comment as regards the other FIR, with respondent no.2 herein having made the aforesaid statement before the competent court in the context of the FIR in question here, and with counsel appearing for him also not denying that the compromise still subsists, the petition is allowed and FIR No.298, dated 13.11.2020, registered at Police Station City, Sangrur, alleging therein the commission

of offences punishable under the provisions of Sections 420/120-B of the IPC and Sections 4 and 5 of the Prize Chits and Money Circulation Scheme (Banning Act, 1978) along with all proceedings emanating therefrom, is hereby quashed *qua* the petitioner only, though obviously the criminal proceedings would continue as per law against any other person as the investigating agency finds to be involved as an accused.

August 16, 2022
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking : Yes
Whether reportable: No