

113
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48080-2021
Date of decision: 22.02.2022

Bua Singh

.....Petitioner.

vs.

State of Punjab and another

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: - Mr. Aditya Pratap Singh, Advocate, for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Sandeep Sharma, Advocate, for respondent no. 2.

.....

Amol Rattan Singh, J. (ORAL)

Case heard via video conferencing.

This petition has been filed seeking quashing, on the basis of a compromise arrived at between the petitioner and respondent no.2, of FIR no. 169, dated 30.10.2021 (as also all other subsequent proceedings arising therefrom), registered at Police Station Division No. 2, Tehsil and District Pathankot, for the alleged commission of an offence punishable under Sections 420 of the IPC. A copy of the compromise deed has been annexed as Annexure P-2 with the petition.

Pursuant to the order of this court dated 17.11.2021, the report of the learned JMIC, Pathankot, dated 02.12.2021 has been received stating therein that the statement of the complainant, i.e. respondent no. 2, Kavita Devi, was recorded before that court to the effect that she has compromised the matter with the accused, of her free will; and with the statement of the petitioner (accused) also having been recorded to that effect.

Mr. Sharma, learned counsel appearing for respondent no. 2, submits that the compromise between the parties still subsists.

The investigating officer also recorded his statement before that court to the effect that there was only one accused in the matter, i.e. the petitioner, Bua Singh, with him not having been declared to be a proclaimed person and with there being only one complainant/victim, i.e. respondent no. 2.

As per the assessment of that court, the compromise reached between the parties is genuine and without any coercion or undue influence.

That being so, looking at the nature of the offence alleged to have been committed and the fact that the matter has been compromised between the petitioner and the complainant, the present petition is allowed and FIR no.169, dated 30.10.2021, registered at Police Station Division No. 2, Tehsil and District Pathankot, for the alleged commission of an offence punishable under Sections 420 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

22.02.2022

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no