

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15099-2023

Date of decision:-07.11.2023

Sarwan Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.D.S. Kahlon Advocate
for the petitioner.

Mr.Anup Singh, AAG, Punjab.

Mr.N.S.Diwana, Advocate for
Ms.Mandeep Kaur, Advocate
for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0038 dated 06.03.2021, under Section 420 IPC, registered at Police Station Gharinda, District Amritsar, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 15.03.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioner submits that the FIR is an outcome of a monetary dispute, which has been amicably settled between the parties.

3. Counsel appearing for the respondent No.2/complainant has

293

admitted the factum of compromise.

4. Heard counsel for the parties.

5. Pursuant to order dated 20.07.2023 passed by this Court, fresh report has been received from the learned Chief Judicial Magistrate, Amritsar, relevant extract of which is as under:-

“(i) That the present case was got registered by complainant Didar Singh against accused Sarwan Singh. Complainant and the above named accused appeared in the Court and have got recorded their statements regarding compromise.

(ii) That as per the statement of Investigating Officer only one accused namely Sarwan Singh is involved in the present FIR and neither the accused is declared as proclaimed offender nor he is involved in any other criminal case except the present FIR.

(iii) That as per the statement of Investigating Officer the case is still at investigation stage and challan has not been presented in this case.

(iv) That from the statements of the complainant and the accused, I am satisfied that compromise between the parties is genuine and valid, and without any coercion or undue influence from any corner.”

6. In view of the report given by the learned Magistrate and judgment of the Supreme Court in ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543*** and a Full Bench of this Court in ***Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, this Court is of the view that keeping the criminal

293

proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

7. Accordingly, the petition is allowed. FIR No.0038 dated 06.03.2021, under Section 420 IPC, registered at Police Station Gharinda, District Amritsar, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

07.11.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No