

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8330-2024 (O&M)

Reserved on: 14.05.2024
Pronounced on: 27.05.2024

Arjan Singh
... Petitioner(s)
Versus
State of Punjab & another
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Amandeep Soni, Advocate
for the petitioner(s).

Mr. M.S. Bajwa, DAG, Punjab.

Mr. Ramesh Chand Sharma, Advocate
for respondent no.2.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
156	25.7.2023	Civil Lines, Police Commissionerate, Amritsar, District Amritsar	420, 467, 468, and 471 IPC

The petitioner, arraigned as accused in the above captioned FIR, has come up before this Court under Section 482 CrPC for quashing of the FIR and all consequential proceedings based on the compromise with the aggrieved person.

2. During the pendency of the criminal proceedings, the accused and the complainant have compromised the matter, and its copy is annexed with this petition as Annexure P-2.
3. After that, the petitioner came up before this Court to quash the FIR, impleading the complainant as respondent no.2.
4. On 18.3.2024, the aggrieved person (R-2) appeared before the Chief Judicial Magistrate, Amritsar and stated that there would be no objection if the Court quashes this FIR and consequent proceedings. As per the concerned court's report dated 6.4.2024, the parties consented to the quashing of FIR and consequent proceedings without any threat.
5. I have heard counsel for the parties as well as perused the FIR (Annexure P-1).

6. A perusal of the FIR captioned above reveals that the allegations leveled by the complainant are regarding preparation of false documents and tampering in official record by the petitioner in connivance with officials of Sub Registrar, Amritsar-II. The FIR in question has been registered after due sanction from the competent authority i.e. Deputy Commissioner, Amritsar, when on a preliminary inquiry, the allegations leveled have been found to be true. The status of the complainant-respondent no.2 is just of an informant and he does not stand in the category of victim. As such, he has no authority to compromise. The competent person to compromise would be the concerned public servant and the petitioner is not the public servant. Moreover, the tampering was in official records and the complainant has no authority to compromise in the matter. Thus, the matter cannot be compromised.

Accordingly, the present petition dismissed. All pending applications, if any stand closed.

(ANOOP CHITKARA)
JUDGE

May 27, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No