

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11499 of 2014.

Decided on:-12.8.2015.

Gurmit Kaur and another

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Vivek K. Thakur, Advocate
for the petitioners.

Mr. Gurinderjit Singh, DAG, Punjab.

Mr. Rahul Jaswal, Advocate
for respondent No.2.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.89 dated 09.07.2009 under Sections 452/324/323/148/149/427 IPC registered at Police Station Bholath, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.3.2014 (Annexure P-2).

This Court vide order dated 14.7.2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the Illaqa Magistrate/trial Court was directed to submit its report about the genuineness of the compromise as per the statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Kapurthala and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 6.8.2015 to the effect that the compromise entered between the parties is genuine and the same has been effected between the parties voluntarily, without any threat, pressure, coercion or undue influence.

This fact has not been disputed by learned counsel for the respondents.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.89 dated 09.07.2009 under Sections 452/324/323/148/149/427 IPC registered at Police Station Bholath, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom is quashed, on the basis of compromise dated 29.3.2014 (Annexure P-2).

August 12, 2015
'Yag Dutt'

(HARI PAL VERMA)
JUDGE