

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17131 of 2014 (O&M)
Date of Decision : 04.08.2015

Raj Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. H.S. Thiara, Advocate
for the petitioner.

Mr. Gurveer Sidhu, AAG, Punjab.

R.P. NAGRATH, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 96 dated 16.04.2008 for offences under Sections 323, 363, 366, 506 and 120-B of Indian Penal Code (IPC), registered at Police Station Sadar, District Hoshiarpur qua the petitioner, on the basis of compromise.

Learned State counsel on instructions from ASI Satnam Singh submits that Section 342 IPC is also one of the offence in this FIR.

On the prayer made by learned counsel for the petitioner, he is permitted to make necessary corrections in the headnote and prayer clause of the petition to add Section 342 IPC also.

It is submitted that two co-accused, namely; Nathu Ram and Vijay Kumar were acquitted in the same FIR vide judgments dated 12.03.2012 (Annexure P-3) and 20.11.2013 (Annexures P-4), respectively. One more accused is proclaimed offender with whom the girl had performed marriage.

Report from the trial Court has been received after recording statement of respondents no. 2 and 3 and the petitioner and it is reported that the compromise reached between the parties is genuine and without any pressure, coercion or undue influence. No useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)** and approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No. 96 dated 16.04.2008 for offences under Sections 323, 363, 366, 506, 120-B and 342 of IPC, Police Station Sadar, District Hoshiarpur and subsequent proceedings are quashed.

Needless to say that the parties shall remain bound by the terms and conditions of the compromise and the statements made by them.

August 04, 2015
jk

(R.P. NAGRATH)
JUDGE