

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

**CRM-M No. 10595 of 2016 (O&M)
Date of decision: 17.10.2016**

Jagroop Singh

...Petitioner

Vs.

State of Punjab & Another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. A. A. Pathak, Advocate
for the petitioner.

Mr. Mikhail Kad, AAG, Punjab
for respondent No. 1-State.

Ms. Sonal Datta, Advocate
for respondent No. 2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 1 dated 15.01.2016, under Sections 376 and 417 of the IPC, registered at Police Station Division No. 3, Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of a compromise dated 29.02.2016 (Annexure P-2).

By an order dated 10.05.2016, the parties were directed to appear before the trial Court on 25.05.2016 or any other date convenient to the Court for recording of their statements with regard to compromise. The trial Court was directed to record the statements of

both the parties to its satisfaction regarding the genuineness of the compromise entered into with a direction to the trial Court to send a report along with statements of the parties.

Pursuant to the order passed, the parties appeared before the learned JMIC, Ludhiana on 25.05.2016 and got their statements recorded, wherein respondent No. 2 submitted that the compromise is without any pressure, threat or undue influence and has been entered into by her own free will. It is further submitted that she would have no objection in case FIR in question is quashed by the High Court of Punjab & Haryana.

After recording of the said statements, a report has been furnished to this Court wherein, learned JMIC, Ludhiana has submitted that the compromise effected between the parties appears to be genuine one and no other case is registered against either of the parties.

In view of the fact that the matter stands compromised between the parties, no useful purpose would be served in allowing the proceedings to continue under the FIR in question.

Consequently, in view of the judgment of the Hon'ble Supreme Court in the case of ***Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429***, the law laid down by the Full Bench of this Court in the case of ***Kulwinder Singh and others Vs. State of Punjab and another 2007(3) RCR (Crl.) 1052***, the above noted petition is allowed and FIR No. 1 dated 15.01.2016, under Sections 376 and 417 of the IPC, registered at Police Station Division No. 3, Ludhiana (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

October 17, 2016
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No