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

CRM-M-10639-2016

Date of decision:22.09.2016

Gurdeep Singh @ Deepa and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Sunil K. Dhanda, Advocate,
for Mr. Ashwani Kumar Bansal, Advocate,
for the petitioners.

Mr. P.S. Madahar, AAG, Punjab.

None 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.225 dated 25.10.2013 under Sections 323/148/149/120-B IPC, registered at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.02.2016 (Annexure P-3).

This Court vide order dated 29.03.2016 had directed the parties to appear before the Ilaqa Magistrate/trial Court and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Talwandi Sabo and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.07.2016 to the effect that the

compromise effected between parties is genuine, voluntarily and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Amarjeet Kaur, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 11.07.2016 to the effect that she has entered into compromise with the accused and has no objection in case the FIR in question is quashed.

Learned State counsel has not disputed the factum of compromise between the parties.

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.225 dated 25.10.2013 under Sections 323/148/149/120-B IPC, registered at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 16.02.2016 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

22.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.