

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

CRM-M-11685 of 2016
Date of decision: 05.12.2016

Baltej Singh and others

----Petitioner (s)

V/s

State of Punjab & others

-----Respondent(s)

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

Present:- Mr.Rajan Bansal, Advocate for
Mr.Ashish Gupta, Advocate for the petitioners.

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

None for respondents No.2 to 6.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.135 dated 24.12.2015 under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station Jaito, District Faridkot (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 08.01.2016(Annexure P-3).

This Court vide orders dated 04.04.2016 and 03.06.2016 had directed the parties to appear before Illaqa Magistrate/ trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid orders, the parties have appeared before learned Sub-Divisional Judicial Magistrate, Jaitu and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 20.07.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

Though, today nobody is present on behalf of respondents No.2 to 6, but no prejudice would be caused to them, as they have already suffered joint statement with regard to the compromise before learned Magistrate on 19.07.2016. Joint statement of respondents No. 2 to 6 i.e. Bhupinder Kaur @ Rupinder Kaur, Jeet Singh, Baljit Singh, Tarsem Singh @ Raj and Varinder Singh respectively, reads as under:-

“Stated that we are the complainant and injured in the present case and the matter has been compromised with the accused party namely Baltej Singh, Baldev Singh, Satinder Singh and Amarpal Singh and the compromise has been effected with the intervention of the respectables of the society and the same has been effected by us without any pressure or coercion or undue influence and voluntarily and the compromise is genuine and we do not want to proceed against the accused party in the present case and the above said four accused are the only accused persons in the present case and none of them is Proclaimed Offender.”

Apart from the above statement of the respondents No.2 to 6, whereby they have shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Learned State counsel does not dispute the factum of compromise entered between the parties.

Accordingly, 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)**, as 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.135 dated 24.12.2015 under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station Jaito, District Faridkot(Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 08.01.2016 (Annexure P-3).

05.12.2016

Anjal

**[HARI PAL VERMA]
JUDGE**

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No