

267.

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

CRM-M-12052-2016

Date of decision:05.10.2016

Jasvir Kaur and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vinamra Kaushik, Advocate,
for Ms. Seena Mand, Advocate,
for the petitioners.

Mr. P.S. Madahar, AAG, Punjab,
for respondent No.1.

Mr. Sunil Nehra, 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.16 dated 27.01.2016 under Sections 370, 370-A, 120-B IPC and Sections 9 and 10 of Child Marriage Restraint Act, registered at Police Station Sadar Jagraon, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.03.2016 (Annexure P-2).

Pursuant to order dated 11.07.2016 passed by this Court, petitioner No.1-Jasvir Kaur is present in Court.

This Court vide order dated 07.04.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded 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, Jagraon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.04.2016 to the effect that the compromise has been effected between parties with their own will and without any coercion or pressure from any corner.

Respondent No.2-complainant, namely, Harjinder Kaur has made her statement with regard to compromise before learned Magistrate on 29.04.2016. The same is reproduced as under:-

“That the aforesaid FIR was registered on the basis of complaint moved by me. Now, I have compromised the matter with all accused, with my own free will and consent and without any fear or pressure. I have no objection, if the above-mentioned FIR against all the accused may be quashed.”

Learned State counsel as well as learned counsel for respondent No.2 have 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 FIR.

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.16 dated 27.01.2016 under Sections 370, 370-A and 120-B IPC and Sections 9 and 10 of Child Marriage Restraint Act, registered at Police Station Sadar Jagraon, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising

therefrom are quashed qua the petitioners on the basis of compromise dated 11.03.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

05.10.2016
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Whether speaking/reasoned	Yes/No.
Whether Reportable:	Yes/No.