

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

CRM-M-12392 of 2015.
Decided on:-01.12.2016.

Satnam Singh @ Satwant and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

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

Present:- Mr. Rishav Jain, Advocate
for the petitioners.

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

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.47 dated 19.06.2012 under Sections 447, 511, 148 and 149 IPC registered at Police Station Dharamgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise deed dated 25.02.2014 (Annexure P-2).

This Court vide order dated April 22, 2015 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate 1st Class, Sunam and got their statements

recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted his report dated 11.6.2015 to the effect that the compromise has been arrived at between the parties voluntarily, with their free consent and without any fear or pressure.

The factum of compromise between the parties has not been disputed by learned State counsel.

I have heard learned counsel for the parties.

Perusal of the report submitted by learned Magistrate reveals that statement of respondent No.2-complainant Labh Singh has been recorded by learned Magistrate on 11.6.2015. Said statement of respondent No.2-complainant, who is author of the FIR in question, made before learned Magistrate is being reproduced as under:

“Stated that FIR No.47 dated 19.6.2012 under Sections 447/511/148/149 IPC, PS Dharamgarh was registered on my statement. I have compromised the matter with all the accused in the present FIR. The compromise is voluntarily and with free will and without any coercion undue influence or fear. The copy of the compromise is Ex.CX. I have no objection if present FIR against all the accused be quashed.”

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 FIR No.47 dated 19.06.2012 under Sections 447, 511, 148 and 149 IPC registered at Police Station Dharamgarh, District Sangrur (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise deed dated 25.02.2014 (Annexure P-2) effected between the parties.

December 01, 2016

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No