

268.

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

CRM-M-15208-2016

Date of decision:03.08.2016

Beant Singh @ Bunty and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Prashant Vashisth, 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.27, dated 18.03.2016 under Sections 342-323-290-294-500-34 of IPC, registered at Police Station Sadar Jagraon, Ludhiana (rural) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.03.2016 (Annexure P-2).

This Court vide order dated 05.05.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Sub Divisional Judicial Magistrate, Jagraon and have got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 01.06.2016 to the effect that the compromise has been effected between the parties voluntarily and

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Harpreet Singh, but no prejudice would be caused to him as he has already made his statement with regard to the compromise before learned Magistrate on 25.05.2016. The same is being reproduced as under:-

“Stated that present FIR no.27/28.03.2016 U/Ss 342/323/290/294/500/34 IPC, P.S. Sadar, Jagraon, was registered against Beant Singh @ Buntty son of Sukhdev Singh, Ramandeep Singh @ Kaka son of Sukhdev Singh, Sukhwinder Singh son of Amrik Singh and Sandeep Singh @ Sunny son of Gurdip Singh, all rs/o village Rasulpur Jandi, on my statement and now compromise with the accused has been effected, without any type of pressure and compromise is genuine, voluntary and free from undue influence. I have no objection, if the present FIR is quashed”

The learned State counsel on instructions from ASI Gulzar Singh, 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.27, dated 18.03.2016 under Sections 342-323-290-294-500-34 of IPC, registered at Police Station Sadar Jagraon, Ludhiana (rural) and all subsequent proceedings arising

therefrom are quashed qua the petitioners on the basis of compromise dated 19.03.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

03.08.2016
sanjeev

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