

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

CRM-M-15390 of 2016
Date of decision: 16.11.2016

Jaskirat Kaur

----Petitioner (s)

V/s

State of Punjab & others

-----Respondent(s)

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

Present:- Mr.H.S. Kathpal, Advocate for the petitioners.

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

Mr. Parvej, Advocate for respondents
No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.184 dated 19.12.2015 for offence under Sections 279/337/338/427 IPC, registered at Police Station Model Town, Ludhiana and all consequential proceedings arising thereto on the basis of compromise dated 04.02.2016 (Annexure P-2).

This Court vide orders dated 05.05.2016 and 20.07.2016 had directed the parties to appear before Illaqa Magistrate/the trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/the trial Court was directed to submit its report qua the genuiness of the compromise.

Pursuant to the aforesaid orders, the parties have appeared before learned Judicial Magistrate Ist Class, Ludhiana and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 05.08.2016 and 15.11.2016 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.

Joint statement made by complainant-respondent No.2, namely, *Gurjit Singh @ Sonu and injured in the case i.e. respondents No. 3, namely, Robin* before the Magistrate on 02.08.2016, reads as under:-

“Stated that we have compromise the matter with the accused with the intervention of the respectable member of the society and we are giving our statement regarding the compromise in present court on our free will and without any coercion whatsoever. We do not want to pursue with the present case and we have no objection if the present FIR is quashed.”

Apart from the above statement, respondent No.4-Kiran has also made similar statement whereby she has 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 as well as learned counsel for respondents No.2 to 4 do 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.184 dated

19.12.2015 for offence under Sections 279/337/338/427 IPC, registered at Police Station Model Town, Ludhiana and all consequential proceedings arising therefrom and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 04.02.2016 (Annexure P-2).

16.11.2016
Anjal

[HARI PAL VERMA]
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>Yes/No</i>