

264.

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

CRM-M-15971-2016

Date of decision:01.09.2016

Reena @ Amandeep Kaur and others

... Petitioners

versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Divjyot S. Sandhu, Advocate,
for the petitioners.

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

Ms. Mandeep Kaur, Advocate,
for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.292 dated 07.11.2014 under Sections 452, 323, 148, 149, 506 IPC registered at Police Station Tanda, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 02.05.2016 (Annexure P-2).

This Court vide order dated 09.05.2016 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 Judicial Magistrate Ist Class, Dasuya and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 15.06.2016 to the effect that the compromise

effected between parties is genuine, without any coercion, fear or threat.

Respondent No.2-complainant, namely, Harbans Kaur has made her statement with regard to the compromise before learned Magistrate on 06.06.2016. The same is being reproduced as under:-

“Stated that FIR no.292 dated 7.11.2014 under Section 452, 323, 148, 149, 506 IPC was registered against accused Reena @ Amandeep Kaur, Sunny @ Rupinderpal Singh s/o Jarnail Singh, Babal @ Sukhwinder Singh s/o Balkar Singh, Ramandeep Kaur w/o Jasjeet Singh, Beant Kaur w/o Mohinder Singh and Mohinder Singh s/o Charan Singh on the basis of my statement. That with the interventions of the respectables of the area a compromise has been effected between us. Compromise is voluntary and without any pressure or coercion. On the basis of compromise above accused have filed a quashing petition bearing CRM-M-No.15971 of 2016 before the Hon'ble Punjab & Haryana High Court. We are bound to the terms and condition of said compromise in above titled petition pending before the Hon'ble Punjab & Haryana High Court and I have no objection if the present FIR be quashed against the accused Reena @ Amandeep Kaur, Sunny @ Rupinderpal Singh s/o Jarnail Singh, Babal @ Sukhwinder Singh s/o Balkar Singh, Ramandeep Kaur w/o Jasjeet Singh, Beant Kaur w/o Mohinder Singh and Mohinder Singh s/o Charan Singh.”

Apart from above, a similar statement has been made by the injured-Jasjeet Singh-respondent No.3 whereby he has shown no objection to the FIR being quashed.

Learned State counsel as well as learned counsel for respondents No.2 and 3 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 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.292 dated 07.11.2014 under Sections 452, 323, 148, 149, 506 IPC registered at Police Station Tanda, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 02.05.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

01.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.