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

CRM-M-17518-2016

Date of decision:21.10.2016

Jaswinder Singh and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Kanwaljeet Singh Derabassi, Advocate,
for the petitioners.

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

Mr. Arun Sharma, Advocate,
for Mr. Ashok Kumar Rana, 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.143 dated 26.06.2014 under Sections 457, 380 IPC, registered at Police Station Lalru, District S.A.S. Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise and affidavit of respondent No.2 dated 13.05.2016 (Annexures P-2 & P-3) respectively.

This Court vide order dated 19.05.2016 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

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.06.2016 to the effect that the parties have entered into compromise without any pressure or coercion of any manner and the same is genuine.

Respondent No.2-complainant, namely, Kamaljit Singh has made his statement with regard to compromise before learned Magistrate on 02.06.2016. The same is reproduced as under:-

“Stated that with the interventions of respectable persons I have compromised the matter with all accused mentioned in the FIR No.143/26.6.2014, PS Lalru under Section 457/380/411 IPC. The compromise deed dated 13.5.2016 (attested copy) is Ex.CX. The affidavit regarding the compromise is Ex.CX/A. I have no objection if the Hon'ble Punjab and Haryana High Court Chandigarh quash the said FIR and proceedings against the accused Jaswinder Singh & Ors. I have compromised with the accused without any pressure and with free will. In view of compromise the FIR may be quashed. The self attested copy of my Adhar Card is Ex. CA as a proof of my identity.”

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 case.

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.143 dated 26.06.2014
under Sections 457, 380 IPC, registered at Police Station Lalru, District
S.A.S. Nagar (Annexure P-1) and all subsequent proceedings arising
therefrom are quashed qua the petitioners on the basis of compromise and
affidavit of respondent No.2 dated 13.05.2016 (Annexures P-2 & P-3)
respectively.

(HARI PAL VERMA)
JUDGE

21.10.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.