

273.

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

CRM-M-18337-2016

Date of decision:09.12.2016

Harnek Singh

... Petitioner

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. B.S. Aulakh, Advocate,
for the petitioner.

Mr. K.D. Sachdeva, Additional Advocate General, Punjab,
for respondent No.1.

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.100 dated 03.12.2015 under Sections 324/323/506 IPC (Section 201 IPC added lateron), registered at Police Station Kabarwala, District Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.05.2016 (Annexure P-2).

This Court vide order dated 25.05.2016 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 learned Civil Judge (Junior Division)-cum-JMIC, Malout and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 30.11.2016 to the effect that the compromise has been effected between parties voluntarily and without any pressure or undue influence from either side.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Raghbir Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 13.06.2016. The same is reproduced as under:-

“It is stated that the present case/FIR 100 Dated 03-12-2015 U/S: 324/323/506/201 IPC P.S. Kabarwala has been registered on the basis of my statement against the accused Harnek Singh. I have arrived at a compromise in this matter with the accused with the intervention of the village Panchayat. The matter has been amicably sorted out between me and the accused. I have no grudge with the accused. The compromise has been arrived at voluntarily without any pressure, coercion, by the other party and with my own sweet will. I do not want to proceed with the present case and I have no objection if the present case FIR is quashed.”

Learned State counsel 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.100 dated 03.12.2015 under Sections 324/323/506 IPC (Section 201 IPC added lateron), registered at Police Station Kabarwala, District Sri Muktsar Sahib

(Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 12.05.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

09.12.2016
sanjeev

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