

279.

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

CRM-M-18779-2016

Date of decision:03.10.2016

Rupinder Singh and another

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ashok Giri, Advocate,
for the petitioners.

Mr. Gurinderjit Singh, DAG, 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.170 dated 23.10.2012 under Sections 341, 323, 324, 506, 148, 149 of IPC, registered at Police Station Morinda, District Rupnagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.04.2016 (Annexure P-2).

This Court vide order dated 27.05.2016 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 Judicial Magistrate Ist Class, Rupnagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 14.09.2016 to the effect that the compromise effected between parties is genuine, voluntary and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Atinderpal Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 19.08.2016. The same is being reproduced as under:-

“Stated that I am complainant of the present case. I have suffered injuries on my person in this case. Except me there was no injured in the present case. I have compromised the matter with the accused namely Rupinder Singh and Gurtej Singh only and had not compromised the matter with remaining accused. I have no objection if the said FIR be quashed qua the accused namely Rupinder Singh and Gurtej Singh only. The said compromise was entered by me without any pressure, force or coercion or undue influence.”

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.170 dated 23.10.2012 under Sections 341, 323, 324, 506, 148, 149 of IPC, registered at Police Station Morinda, District Rupnagar (Annexure P-1) and all subsequent

proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 19.04.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

03.10.2016
sanjeev

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