

275.

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

CRM-M-19161-2016

Date of decision:05.10.2016

Sucha Singh and another

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. R.N. Moudgill, Advocate,
for the petitioners.

Mr. P.S. Madahar, AAG, 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.14 dated 01.02.2016 under Sections 447, 511, 506, 120-B IPC, registered at Police Station Naya Gaon, District SAS Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.05.2016 (Annexure P-2).

This Court vide order dated 30.05.2016 had directed the parties to appear before the Illaqa Magistrate 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, Kharar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 16.09.2016 to the effect that the parties have arrived at a voluntary compromise.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Kuldeep Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 15.09.2016. The same is reproduced as under:-

“Stated that I have compromised with Sucha Singh S/o Gurbaksh Singh R/o Vill. Parchh, PO Mullanpur, the. Kharar, Distt. Mohali and Suresh Sharma S/o Late Sh. Balak Ram Sharma, VPO Ward no.12 Purami Awadi, the. Kharar, Distt. Mohali with my free will without any pressure or coercion and executed affidavits of compromise dated 20.05.2016 photocopy of the same is Mark A and Mark B wherein it has been incorporated that I do not want to pursue the present case any further and have no objection if the both accused are acquitted and above said FIR be 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.14 dated 01.02.2016

under Sections 447, 511, 506, 120-B IPC, registered at Police Station Naya Gaon, District SAS Nagar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 20.05.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

05.10.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.