

272.

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

CRM-M-19886-2016 (O&M)

Date of decision:30.09.2016

Roshni @ Roshna and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Randeep Singh, Advocate,
for Mr. Sunil Agnihotri, Advocate,
for the petitioners.

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

Mr. Sahil Soi, 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.261 dated 01.09.2015 under Sections 379/427/34 IPC, registered at Police Station Dasuya, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 28.04.2016 (Annexure P-2).

This Court vide order dated 02.06.2016 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 Sub Divisional Judicial Magistrate, Dasuya and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 01.08.2016 to the effect that the compromise is valid

and appears to have been made voluntarily without any pressure and coercion from any side.

Respondent No.2-complainant, namely, Manjit Singh has made his statement with regard to compromise before learned Magistrate on 22.07.2016. The same is being reproduced as under:-

“I am complainant in the instant case and I have effected the compromise with all the accused in the presence of the respectable of the locality. Now I have no grudge or grievances against the accused persons. I have effected the compromise voluntarily, without any pressure, coercion and undue influence and same is genuine. I have no objection if the FIR has been quashed.”

Learned State counsel as well 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 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.261 dated 01.09.2015 under Sections 379/427/34 IPC, registered at Police Station Dasuya, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 28.04.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

30.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.