

267.

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

CRM-M-22384-2016

Date of decision:27.10.2016

Kasiruddin and another

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Randeep Singh, Advocate,
for Mr. Vipin Mahajan, Advocate,
for the petitioners.

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

Mr. Akash Sethi, 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.150 dated 24.08.2013 under Sections 420, 120-B IPC, registered at Police Station City Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 02.07.2016 (Annexure P-2).

Mr. Akash Sethi, Advocate, has put in appearance on behalf of respondent No.2 and filed power of attorney which is taken on record.

This Court vide order dated 08.07.2016 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 Chief Judicial Magistrate, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.08.2016 to the effect that the compromise effected between parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Gurmeet Kaur has made her statement with regard to compromise before learned Magistrate on 17.08.2016. The same is reproduced as under:-

“Stated that FIR No.150 dated 24.08.2013, under Sections 420, 120-B Indian Penal Code was registered at Police Station City Gurdaspur, District Gurdaspur (Punjab) against accused persons on my statement. Now with the intervention of respectables the matter has been compromised. Therefore, I do not want to pursue the present case. I have no objection, if the present FIR is quashed by Hon'ble Punjab & Haryana High Court, Chandigarh, on the basis of compromise. I have suffered this statement voluntarily without any coercion or undue influence. I have brought my aadhar card and produce the photocopy of the same, which is Annexure C1.”

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 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)**

under Sections 420, 120-B IPC, registered at Police Station City Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 02.07.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

27.10.2016
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Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.