

266.

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

CRM-M-22647-2016

Date of decision:03.11.2016

Jagrachan Singh and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ajay Singla, Advocate, for the petitioners.

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

Mr. Harjot S. Ahluwalia, 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.70 dated 11.04.2016 under Sections 341/324/323/506/34 IPC, registered at Police Station Sadar, Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 21.04.2016 (Annexure P-3).

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 Sub Divisional Judicial Magistrate, Dhuri and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.09.2016 to the effect that the compromise effected between parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Raj Singh has made his statement with regard to compromise before learned Magistrate on 19.08.2016. The same is reproduced as under:-

“Stated that I have compromised the matter in relation in FIR No.70 dated 11.04.2016 under Section 341/324/323/506/34, Police Station, Sadar Dhuri with the accused present in the Court namely Jagrachran Singh, Gurmeet Kaur, Tota Singh and Ruldu Singh. The compromise has been effected by me out of my own free will and consent and without any pressure or coercion from any corner. I have no objection if the above said FIR and all the consequential proceedings are quashed. I have seen the photocopy of the compromise dt. 21.04.2016 is Ex. C1, which bears my signature. The original of the same is before the Hon'ble High Court.”

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) 10 SCC 303**, this petition is allowed and F.I.R. No.70 dated 11.04.2016 under Sections 341/324/323/506/34 IPC, registered at Police Station Sadar, Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 21.04.2016 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

03.11.2016
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Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.