

273.

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

CRM-M-22933-2016

Date of decision:21.10.2016

Kamalpreet Kaur and others

... Petitioners

versus

The State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Mandeep Singh, Advocate, for Mr. Jagpal Singh,
Advocate, for the petitioners.

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

None for respondents No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.139 dated 24.04.2016 under Sections 452/323/148/149 IPC, registered at Police Station City Barnala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.04.2016 (Annexure P-2).

This Court vide order dated 12.07.2016 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, Barnala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 10.10.2016 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, Veerpal Kaur and other injured-respondents No.3 & 4, namely, Sukhwinder Singh alias Bitta and Jasveer Kaur respectively, but no prejudice would be caused to them as they already made their joint statement with regard to compromise before learned Magistrate on 05.10.2016. The same is reproduced as under:-

“Stated that the matter has been compromised in case FIR No.139 dated 24.04.2016 under Section 452/323/148/149 IPC Police Station City Barnala. It is requested that the present FIR may kindly 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 FIR.

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.139 dated 24.04.2016 under Sections 452/323/148/149 IPC, registered at Police Station City Barnala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 30.04.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

21.10.2016

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Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.