

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

CRM-M-24190 of 2016

Date of decision: 18.11.2016

Mandeep Singh

-----Petitioner (s)

V/s

State of Punjab & others

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.Deepinder Brar, Advocate for the petitioners.

Mr.Sultan Singh Gill, DAG, Punjab.

None for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.24 dated 18.04.2015 under Sections 452 and 323 IPC, registered at Police Station Sadar Rampura, District-Bathinda(Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 09.07.2016 (Annexure P-2).

This Court vide order dated 20.07.2016 had directed the parties to appear before Illaqa Magistrate/the trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/the trial Court was directed to submit its report qua the genuiness of the compromise.

Pursuant to the aforesaid order dated 20.07.2016, the parties have appeared before learned Sub Divisional Judicial Magistrate, Phul and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 01.09.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

Though, today nobody is present on behalf of respondents No. 2 and 3, but no prejudice would be caused to them, as they have already suffered a statement with regard to validity of the compromise before learned Magistrate on 31.08.2016, The statement of respondent No.2- Gurmeet Kaur reads as under:-

“Stated that I have compromised the matter in dispute with the accused out of my sweet will and without any kind of pressure, coercion or influence. I have no objection, if the FIR registered against the accused is quashed.”

Apart from the statement of the complainant-respondent No.2, respondents No.3-Charanjit Kaur has also made similar statement, whereby she has shown no objection to the FIR being quashed. There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Learned State counsel does not dispute the factum of compromise entered between the parties.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.24 dated

18.04.2015 under Sections 452 and 323 IPC, registered at Police Station Sadar Rampura, District-Bathinda (Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 09.07.2016 (Annexure P-2).

18.11.2016
Anjal

[HARI PAL VERMA]
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>Yes/No</i>