

261.

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

CRM-M-30854-2015

Date of decision:22.09.2016

Gian Singh

... Petitioner

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Y.M. Bhagirath, Advocate,
for the petitioner.

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

Mr. Amandeep Rana, 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.1 dated 06.02.2015 under Sections 380 and 506 IPC, registered at Police Station NRI/SAS Nagar, District Mohali and all subsequent proceedings arising therefrom on the basis of compromise.

Initially, the petition was filed seeking quashing of FIR on merits. However, during pendency of present petition, parties have entered into a compromise on 12.07.2016 vide Annexure P-1 and accordingly, vide order dated 26.07.2016, necessary permission to convert the petition into quashing of FIR on the basis of compromise was granted and parties were directed to appear before the Ilaqa Magistrate/trial Court on 11.08.2016 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 Judicial Magistrate Ist Class, Mohali and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 22.08.2016 to the effect that the compromise is correct and has been effected voluntarily, without any pressure, coercion or undue influence.

Respondent No.2-complainant, namely, Gurwinder Kaur Mahal has made her statement with regard to compromise before learned Magistrate on 11.08.2016. The said statement reads as under:-

“Stated that FIR in the present case was got registered by me against Gian Singh. During the course of trial, since we are related being sister in law and brother in law, keeping in view the future of family relations and in order to sink all differences, I have entered into a compromise with Sh Gian Singh. I have entered into compromise without any coercion, pressure or undue influence. I have seen the original affidavit dated 12.07.2016 and also place it on record today and the same has been sworn by me after admitting the contents thereof to be correct. I also admit the copy of affidavit dated 12.07.2016 placed on record in quashing petition to be correct. In view of the compromise, I do not intend to further prosecute accused Gian Singh and I have no objection if the FIR and all the proceedings arising out of it are ordered to be quashed.”

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.1 dated 06.02.2015 under Sections 380 and 506 IPC, registered at Police Station NRI/SAS Nagar, District Mohali and all subsequent proceedings are quashed qua the petitioner on the basis of compromise dated 12.07.2016 (Annexure P-1).

(HARI PAL VERMA)
JUDGE

22.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.