

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

CRM-M-32187 of 2016
Date of decision: 08.12.2016

Sukha Singh and others

----Petitioner (s)

V/s

State of Punjab and another

-----Respondent(s)

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

Present:- Mr.Harsit Jain, Advocate for the petitioners.

Mr.P.S. Madahar, AAG, Punjab.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.51 dated 30.06.2012 under Sections 452, 323, 324 and 34 IPC, registered at Police Station Dharamgarh, District Sangrur, (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 29.08.2016(Annexure P-2).

This Court vide orders dated 14.09.2016 had directed the parties to appear before Illaqa Magistrate/ trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order 14.09.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Sunam (Sangrur) and got their statements recorded. On the basis of the statements so recorded,

learned Magistrate has forwarded report dated 27.09.2016 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 respondent No.2- Gagandeep Kaur, but no prejudice would be caused to her, as she has already suffered statement with regard to the compromise before learned Magistrate on 27.09.2016. The said statement reads as under:-

“Stated that I have compromised the present matter with the accused namely Jagga Singh, Pargat Singh, sons of Megh Singh, Megh Singh, Sukha Singh sons of Mukhtiar Singh, all residents of village Humbalwass, Jakhepal, Tehsil Sunam, District Sangrur, registered in FIR no.51 dated 30.06.2012, under section 323, 324, 452 and 34 of IPC, Police Station Dharamgarh. The compromise arrived at between me and accused is genuine, voluntarily, without any coercion, influence and pressure. I have no objection if the present FIR be quashed against all the accused.”

Apart from the above statement of the respondent No.2 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.51 dated 30.06.2012 under Sections 452, 323, 324 and 34 IPC, registered at Police Station Dharamgarh, District Sangrur, (Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 29.08.2016 (Annexure P-2).

08.12.2016
Anjal

[HARI PAL VERMA]
JUDGE

Whether speaking/reasoned? ***Yes***

Whether reportable? ***Yes/No***