

273.

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

CRM-M-33349-2015

Date of decision:18.10.2016

Ranjit Singh and others

.... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab,
for respondent No.1.

Mr. Amit Jain, Advocate,
for Mr. Daljit Singh Kahlon, 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.34 dated 22.05.2015 under Sections 304/149 of IPC, registered at Police Station Sri Hargobindpur, District Batala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 30.09.2015 had directed the parties to appear before the Area Magistrate 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, Batala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.01.2016 to the effect that the compromise between parties has been arrived at voluntary and without undue influence,

pressure and or coercion.

Respondent No.2-complainant, namely, Gurjant Singh has made his statement with regard to compromise before learned Magistrate on 11.12.2015. The same is reproduced as under:-

“That the above noted case FIR No.34 of 22.05.2015 u/s 304/109 Indian Penal Code, Police Station Sri Hargobind Pur was registered on my statement against the accused/petitioners. Now with the intervention of the respectable the mater stand compromised and I have no grudge against the accused persons. Now I have no objection if the present FIR is quashed. I have given this statement without any coercion, pressure and with my own free will.”

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.34 dated 22.05.2015 under Sections 304/149 of IPC, registered at Police Station Sri Hargobindpur, District Batala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise (Annexure P-2).

(HARI PAL VERMA)
JUDGE

18.10.2016
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Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.