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

CRM-M-34818-2016

Date of decision:09.12.2016

Gurjot Singh

... Petitioner

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Harsh Manocha, Advocate,
for the petitioner.

Mr. K.D. Sachdeva, Additional Advocate General, Punjab,
for respondent No.1.

Mr.Arun Kumar, 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.84 dated 25.08.2016 under Section 295A IPC, registered at Police Station Ghagga, Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.09.2016 (Annexure P-2).

This Court vide order dated 29.09.2016 had directed the parties to appear before the trial Court/Illaq 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, Samana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 01.11.2016 to the effect that the parties have

voluntarily entered into the compromise between themselves and have settled the matter amicably.

Respondent No.2-complainant, namely, Mandeep Singh has made his statement with regard to compromise before learned Magistrate on 20.10.2016. The same is reproduced as under:-

“Stated that I have compromised the matter with the accused with free will, without any undue pressure or coercion. In view of the compromise I do not want to proceed with the present case and I have no objection if the present FIR is quashed. There is no other litigation/case is pending between me and the accused.”

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.84 dated 25.08.2016 under Section 295A IPC, registered at Police Station Ghagga, Patiala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 15.09.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

09.12.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.