

283.

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

CRM-M-35549-2016

Date of decision:04.11.2016

Mandeep Singh @ Mona

... Petitioner

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

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

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 F.I.R. No.0132 dated 07.09.2016 under Sections 341/323/379B/506/148/149 IPC, registered at Police Station Lehra, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 24.09.2016 (Annexure P-2).

This Court vide order dated 03.10.2016 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 Sub Divisional Judicial Magistrate, Moonak and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.10.2016 to the effect that the matter has been compromised with free and voluntary consent of complainant without any pressure or coercion from his side.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Happy Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 21.10.2016. The same is reproduced as under:-

“Matter has been compromised with accused Mandeep Singh @ Mona also known as Manjit Singh with my free consent without any pressure or coercion from the side of accused and I have no objection if the FIR is quashed.”

Learned State counsel has 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.0132 dated 07.09.2016 under Sections 341/323/379B/506/148/149 IPC, registered at Police Station Lehra, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 24.09.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

04.11.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.