

265.

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

CRM-M-39620-2015

Date of decision:24.08.2016

Rohit Vermani and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sandeep Arora, Advocate,
for the petitioners.

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

Mr. C.S. Rawat, 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.161, dated 11.10.2015 under Sections 324/326/506/34 of IPC registered at Police Station Maqsudan, Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.10.2015 (Annexure P-2).

This Court vide order dated 28.04.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 28.07.2016 to the effect that the

compromise effected between parties is genuine one and is voluntarily without any pressure, out of free will, duress or any undue influence.

Respondent No.2-complainant, namely, Dilpreet Singh has made his statement with regard to compromise before learned Magistrate on 20.05.2016. The said statement reads as under:-

“Stated that the present FIR was got registered on my statement and an compromise has been effected between me and Rohit Vermani, Rakesh Kumar, Varinder Singh. Voluntarily and without any kind of any pressure from anybody with the intervention of respectables of the locality. I have seen the notarized copy of the compromise which is Ex.C-1 upon which I identify my signatures which was effected on 19.10.2015 was attested on 20.10.2015. I also identify the signatures of above named applicants and of the other witnesses upon it. I do not want to proceed further with the present case and I have no objection if the proceedings are quashed. We undertake to maintain peace and also we do not have any grudge against each other. I also identify my signatures upon the affidavit as Ex.C-2. My Id proof is Ex.C-6. (Original seen and return).”

The 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)**

under Sections 324/326/506/34 of IPC registered at Police Station Maqsudan, Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 19.10.2015 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

24.08.2016
sanjeev

Whether speaking/reasoned	Yes/No.
Whether Reportable:	Yes/No.