

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

CRM-M-41849 of 2015

Date of decision: 09.11.2016

Karan Singh @ K.K. Sharma and others

----Petitioner (s)

V/s

State of Punjab & another

-----Respondent(s)

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

Present:- Mr. Kiran Pal Rana, Advocate for
Mr.Bhupinder Ghai, 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.23 dated 13.02.2014 for offence under Sections 341, 323, 506, 427 and 336 read with Section 34 IPC, registered at Police Station Kurali, Distt. SAS Nagar (Annexure P-2) and all consequential proceedings arising thereto on the basis of compromise (Annexure P-1).

This Court vide orders dated 10.12.2015 and 01.03.2016 had directed the parties to appear before Illaqa Magistrate/the trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/the trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid orders dated 10.12.2015 and 01.03.2016, the parties have appeared before learned Addl. Chief Judicial Magistrate Rupnagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 30.03.2016 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.

The statement made by the complainant-respondent No.2, namely, *Nirmal Singh son of Sh. Ajaib Singh* before the Magistrate on 28.03.2016, reads as under:-

“I have heard the statement of accused recorded before the Court today and admit the same to be correct and identify my signatures on compromise Ex.C1. The compromise has been effected with the accused without any undue influence, threat or pressure. In accordance with the compromise, I have got no objection in case FIR in question registered at my instance against the accused be quashed.”

Apart from the statement of the complainant-respondent No.2- whereby he 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 counsel for the State 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.23 dated 13.02.2014 for offence under Sections 341, 323, 506, 427 and 336 read with Section 34 IPC, registered at Police Station Kurali, Distt. SAS Nagar (Annexure P-2) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise (Annexure P-1).

09.11.2016

Anjal

**[HARI PAL VERMA]
JUDGE**

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No