

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

CRM-M-7350 of 2016

Date of decision: 10.11.2016

Amrit Pal Singh

----Petitioner (s)

V/s

State of Punjab & others

-----Respondent(s)

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

Present:- Mr.Jagmeet Singh Moudgil, Advocate for the petitioner.

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

Mr.Sukhmeet Singh, Advocate for
respondents No.2 & 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.85 dated 08.08.2015 for offence under Sections 279, 338 and 427 IPC registered at Police Station Longwal, Distt. Sangrur (Annexure P-1) and all consequential proceedings arising thereto on the basis of compromise dated 15.02.2016 (Annexure P-2).

This Court vide order dated 19.09.2016 had directed the parties to appear before learned trial Court on 07.10.2016 or any other date convenient to the Court for recording their statements recorded with regard to compromise and the trial Court was directed to submit its report along with statements of the parties qua the genuiness of the compromise.

Pursuant to the aforesaid order dated 19.09.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Sangrur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 17.10.2016 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, *Mohd. Mursleen son of Mohd. Nazam* before the Magistrate on 07.10.2016, reads as under:-

“That the matter has been compromised with the accused namely Amritpal Singh voluntarily with the intervention of respectable and relatives, without any coercion or undue influence or without any pressure and I have no objection if the present FIR be quashed.”

Apart from the statement of the complainant-respondent No.2, similar statement of respondent No.3-*Rulia wife of Mohd. Mursleen* has also been recorded whereby she 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 as well as learned counsel for the respondents No. 2 and 3 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.85 dated 08.08.2015 for offence under Sections 279, 338 and 427 IPC registered at Police Station Longwal, Distt. Sangrur(Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise dated 15.02.2016 (Annexure P-2).

10.11.2016

Anjal

**[HARI PAL VERMA]
JUDGE**

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No