

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.11219 of 2017
Date of decision: 19.07.2017

Bikramjit Singh @ Vicky & ors.

.... Petitioners

versus

State of Punjab & anr.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Digvijay Nagpal, Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Hari Pal Verma, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.97 dated 30.08.2016 under Sections 452, 323, 506 and 34 IPC registered at Police Station Banur, District Patiala (Annexure P-1) on the basis of compromise dated 29.03.2017 (Annexure P-2).

This Court vide order 06.04.2017 had directed the parties to appear before the Trial Court to get their statements recorded with regard to compromise and learned Trial Court was directed to submit its report regarding the genuineness of the compromise so effected on the basis of statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate First Class, Rajpura and got their statements recorded. Learned Magistrate has forwarded his report dated 19.04.2017 to the effect that the aforesaid statements have been recorded by

the parties voluntarily and their compromise has been arrived at without any pressure or undue influence from either side. Thus, the compromise is genuine and valid. The statement of Gurnam Singh, complainant, which is accompanied with the report, reads as under:-

“Statement of Gurnam Singh son of Late Sh. Ram Murti, resident of village Manakpur, Tehsil Rejapura, Distt. Patiala (ON S.A).

Stated that the matter has been compromised with the accused persons with the intervention of respectables persons of locality and now I have no grudge against the accused persons namely Bikramjit Singh @ Vicky S/o Dayal Chand @ Ram Dayal, Lovepreet Singh @ Lovely s/o Late Sh. Netar Singh, Manpreet Kaur D/o Late Sh. Netar Singh w/o Bikramjeet Singh, Jaswinder Kaur wd/o Late Sh. Netar Singh all residents of VPO Manakpur, Teh.Rajpura Distt. Patiala. I entered into the above said compromise voluntarily and without any pressure or coercion on the part of anybody. I do not want to proceed further with the FIR No.97 dated 30.08.2016 under Sections 452, 323, 506 and 34 IPC registered at Police Station Banur. I have no objection, if the aforesaid FIR is quashed by Hon'ble High Court against the above named accused.

<i>RO & AC</i>	<i>Sd/-</i>
<i>Sd/-</i>	<i>(Amit Bakshi), PCS, PB0469</i>
<i>Sd/- (Adv)</i>	<i>Judicial Magistrate First Class,</i>
	<i>Rajpura 18-04-2017.”</i>

Learned counsel for the respondent no.2/complainant as well as learned State counsel, have not disputed the factum of the compromise between the parties.

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.

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.97 dated 30.08.2016 under Sections 452, 323, 506 and 34 IPC registered at Police Station Banur, District Patiala (Annexure P-1) is quashed *qua* the petitioners, in view of compromise dated 29.03.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

19.07.2017

sonia

1. Whether speaking/non-speaking?	Yes
2. Whether reportable?	Yes/No