

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

CRM-M-15566-2017

Date of decision:02.11.2017

Gulzar Singh and others

... Petitioners

Versus

State of Punjab & another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. S.K. Singla, Advocate,
for the petitioners.

Mr. Bhupender Beniwal, 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 F.I.R. No.84 dated 02.09.2010 under Sections 380, 448, 149 IPC, registered at Police Station Jamalpura, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 25.04.2017 (Annexures P-2 and P-3).

This Court vide order dated 25.08.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court 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 Judicial Magistrate Ist Class, Ludhiana and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.10.2017 to the effect that the parties have arrived at a compromise voluntarily.

Though, today no one is present on behalf of respondent No.2-complainant, namely, Mandeep Kumar but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 25.09.2017. The same is reproduced as under:-

“Stated that on my statement FIR No. 84 dated 02.09.2010, u/s 380/448/149 IPC, PS Jamalpur was registered against accused Gulzar Singh, Dilwar Singh and Anju Bala. Since, I have arrived at a compromise with accused Gulzar Singh, Dilwar Singh and Anju Bala and as such I have no objection if the aforesaid FIR may be quashed against the above said three accused. I have made this statement voluntarily without any fear, pressure and coercion.”

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.84 dated 02.09.2010 registered under Sections 380, 448, 149 IPC, at Police Station Jamalpura, District Ludhiana (Annexure P-1) and all

petitioners on the basis of compromise.

(HARI PAL VERMA)
JUDGE

02.11.2017
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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No