

In the High Court of Punjab and Haryana at Chandigarh

Criminal Misc. No. M-18800 of 2017

Date of Decision: 12.9.2017

Sahibjit Kaur and another

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vaibhav Narang, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Subhash Chand, Advocate
for respondent No. 2.

HARI PAL VERMA, J. (ORAL)

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of F.I.R. No. 41 dated 29.3.2015 under Section 419, 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Gharinda, District Amritsar (Annexure P-3) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.5.2016 (Annexure P-1).

This Court vide order dated 25.5.2017 had directed the parties to appear before the trial Court to get their statements recorded and the trial Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

learned Chief Judicial Magistrate, Amritsar and got their statements
Gurpreet Singh Bhatia
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authenticity of this document
Chandigarh

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.8.2017 to the effect that the compromise arrived at between the parties is genuine.

Respondent No. 2-complainant, namely, Parminder Singh @ Mintu has made statement with regard to compromise before learned Magistrate on 01.6.2017. The same is reproduced as under:-

“Stated that I have got registered FIR No. 41 dated March 29, 2015 under Section 419, 420, 465, 467, 468, 471, 120-B of Indian Penal Code, Police Station, Gharinda Amritsar against accused Sahibjit Kaur and Kanwarjagmeet Singh. Now, with the intervention respectable I have arrived at the compromise with the accused out of our free will and willful consent and there is no pressure or coercion upon me. I have no objection if FIR No. 41 dated March 29, 2015 under Section 419, 420, 465, 467, 468, 471, 120-B of Indian Penal Code, Police Station, Gharinda Amritsar. The compromise has been effected voluntarily without any pressure or coercion and threat. I have produced the original compromise which bears my signatures as well as the signatures of the accused and same is Ex. CX.”

Learned State counsel as well as learned counsel appearing on behalf of 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)**.

10 SCC 303, this petition is allowed and the F.I.R. No. 41 dated 29.3.2015 under Section 419, 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Gharinda, District Amritsar (Annexure P-3) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise.

(HARI PAL VERMA)
JUDGE

September 12, 2017
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No