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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 19691 of 2017
Date of Decision: 15.09.2017

Sukhrajpal Kaur and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sandeep Godara, Advocate, for
Mr. Ajay Pal Singh Rehan, Advocate
for the petitioners.

Mr. S.S. Cheema, A.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 19, dated 01.03.2017, under Sections 452, 323, 324, 506 and 34 of the Indian Penal Code, (Section 326 of the Indian Penal Code added later on) registered at Police Station Sadar Batala, Police District Batala, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist Class, Batala, on the basis of compromise.

[2]. During pendency of petition, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which

is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Batala , vide report dated 09.09.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is not present nor he is represented by his counsel. However, he has made a statement on 08.09.2017, before the Judicial Magistrate Ist Class, Batala, whereby he has admitted the factum of compromise with the accused persons and deposed that the said compromise is genuine and voluntarily effected with his free consent and without any kind of pressure, force, threat, coercion or undue influence from any quarter and now present F.I.R. be quashed against the said accused persons.

[4]. In view of the report of the Judicial Magistrate Ist Class, Batala, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 19, dated 01.03.2017, under Sections 452, 323, 324, 506 and 34 of the Indian Penal Code, (Section 326 of the Indian Penal Code added later on) registered at Police Station Sadar Batala, Police District Batala,

(Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

15.09.2017
Apurva

(SUDIP AHLUWALIA)
JUDGE

- 1. Whether speaking/ reasoned : Yes/ No
- 2. Whether reportable : Yes/ No