

244.

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

CRM-M-23298-2017

Date of decision:04.10.2017

SUKHDEV SINGH @ SUKHA AND ORS.

... Petitioners

versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Adarshpreet Singh Dhaliwal, Advocate,
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab,
for respondent No.1.

Mr. Aayush Arora, Advocate,
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.37 dated 04.05.2016 under Sections 341/323/379/506 IPC, registered at Police Station Punjab Agriculture University, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.05.2017 (Annexure P-2).

This Court vide order dated 05.07.2017 had directed the parties to appear before the 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 18.08.2017 to the effect that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Jaideep Singh Mander has made his statement with regard to compromise before learned Magistrate on 10.08.2017. The same is reproduced as under:-

“I had lodged one FIR No.37 dated 04.05.2016 u/s 379, 323, 241, 506, 201, 34 IPC at PS PAU, Ludhiana against the accused Sukhdev Singh, Jai Parkash and Naveen Shah. On the intervention of some respectables now the matter has been compromised between us and I have no grudge against the accused persons and I have no objection if the present FIR is quashed. I am giving the present statement out of my own free will and consent without any pressure, coercion from any side. A written compromise has been executed between us and the original of which is on the judicial file of Hon'ble Punjab & Haryana High Court.”

Learned State counsel as well as learned counsel for 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

others (2012) 10 SCC 303, this petition is allowed and F.I.R. No.37 dated 04.05.2016 under Sections 341/323/379/506 IPC, registered at Police Station Punjab Agriculture University, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 30.05.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

04.10.2017
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No