

251.

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

**CRM-M-2416-2017**

Date of decision: 26.07.2017

HARDEEP SINGH AND ORS

... Petitioners

versus

STATE OF PUNJAB AND ORS

.... Respondents

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

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Present: Mr. Sandeep Sharma, Advocate,  
for Mr. Veneet Sharma, Advocate,  
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab,  
for respondent No.1.

None for respondents No.2 and 3.

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**HARI PAL VERMA, J.** (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.63 dated 28.05.2016 under Sections 323, 324, 326, 148, 149 IPC, registered at Police Station Lopoke, Amritsar Rural, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 26.12.2016 (Annexure P-2).

This Court vide order dated 23.02.2017 had directed the parties to appear before the Area Magistrate 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, Ajnala, District Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.03.2017 to the effect that the compromise has been effected between the petitioners/accused and complainant/respondents No.2 and 3 voluntarily, out of their free will and without any kind of undue influence or pressure and the same appears to be genuine one.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Harjeet Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 17.03.2017. The same is reproduced as under:-

“Stated that the FIR No.63 dated 28.5.2016 U/ss. 323, 324, 326, 148, 149 IPC was registered by the police of P.S. Lopoke, Amritsar (Rural) on the basis of my statement as a complainant against the four accused persons namely Hardeep Singh, Rajwant Kaur, Manjit Singh and Aman Kaur. Now I have compromised the matter with the above said accused persons with the intervention of respectables of the village and relatives. I have compromised with the accused persons out of my own sweet will and without any kind of undue influence or pressure and coercion. Except the above said four accused persons, no other person is involved in the occurrence or arrayed as an accused in the present case. On the basis of compromise with the accused persons, I do not want to proceed further in the present case FIR and I have no objection if the present FIR may be quashed by the Hon'ble High Court in lieu of the compromise. I submit attested copy of my Adhaar Card as identity proof.”

Apart from above, a similar statement has also been made by Jaspreet Kaur-respondent No.3 whereby she has shown no objection to the FIR being quashed. There is nothing on record to doubt the genuineness of the compromise.

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.63 dated 28.05.2016 under Sections 323, 324, 326, 148, 149 IPC, registered at Police Station Lopoke, Amritsar Rural, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 26.12.2016 (Annexure P-2).

**(HARI PAL VERMA)**  
**JUDGE**

26.07.2017  
sanjeev

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