

254.

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

CRM-M-24421-2016

Date of decision:05.09.2017.

MANMOHAN SINGH AND ANR

... Petitioners

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. A.S. Dhaliwal, DAG, Punjab,
for respondent No.1.

None for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.28 dated 28.03.2017 under Sections 452/323/34 IPC, registered at Police Station City Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 12.07.2017 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 Sub Divisional Judicial Magistrate, Dhuri and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.08.2017 to the effect that the compromise effected between the parties is genuine, voluntary or without any pressure or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Satpal and respondent No.3-Som Nath, but no prejudice would be caused to them as they have already made a joint statement with regard to compromise before learned Magistrate on 08.08.2017. The same is reproduced as under:-

“Stated that an FIR no.28 dated 28.03.2017 under section 452/323/34 IPC, PS City Dhuri, was registered on the statement of Satpal son of Jagdish Chand. Now we have compromised the matter with the accused persons with our own free will, without any pressure or coercion. We have no objection if the FIR is quashed.”

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.28 dated 28.03.2017 under Sections 452/323/34 IPC, registered at Police Station City Dhuri, District Sangrur (Annexure P-1) and all subsequent

proceedings arising therefrom are quashed qua the petitioners on the basis of compromise (Annexure P-2).

(HARI PAL VERMA)
JUDGE

05.09.2017
sanjeev

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