

In the High Court of Punjab and Haryana at Chandigarh

Criminal Misc. No. M-25957 of 2017

Date of Decision: 21.9.2017

Paramjitainder Singh @ Nanu and another

.....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Deepak Sharma, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Sandeep Sharma, Advocate for
Mr. Pankaj Bali, Advocate
for respondents No. 2 to 4.

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. 131 dated 18.6.2017 under Section 452, 324, 323, 34 IPC, registered at Police Station Sohana, District SAS Nagar, Mohali (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 21.7.2017 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 Additional Chief Judicial Magistrate, SAS Nagar, Mohali and got

their statements recorded. On the basis of the statements so recorded,

learned Magistrate has submitted its report dated 04.9.2017 to the effect that the compromise arrived at between the parties is genuine and without any pressure or coercion.

Respondent No. 2-complainant/injured, namely, Major Singh as well as other injured namely Gurmel Singh and Paramjeet Singh @ Pamma have made a joint statement with regard to compromise before learned Magistrate on 18.8.2017. The same is reproduced as under:-:-

“Stated that with the intervention of respectable/common friends, we have compromised the matter with the accused persons namely Paramjitinder Singh @ Nanu s/o Jasbir Singh r/o Village Sohana, Tehsil and Distt. SAS Nagar and accused Vikramjeet Singh s/o Sh. Kulwant Singh, r/o village Sohana, Tehsil and Distt. SAS Nagar, as per compromise dt: 05.7.2017. We have seen the photocopy of compromise which bears our signatures and its photocopy is Mark A. The compromise has been effected voluntarily, without any pressure, coercion, misrepresentation or undue influence. We have no objection if the present FIR is quashed.”

Learned State counsel as well as learned counsel appearing on behalf of respondents No. 2 to 4 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. 131 dated 18.6.2017

District SAS Nagar, Mohali (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise (Anneuxre P-2).

(HARI PAL VERMA)
JUDGE

September 21, 2017
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No