

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

(1) CRM-M-26718 of 2017.
Decided on:-29.09.2017.

Manjit Kaur and others

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

(2) CRM-M-27013 of 2017.

Harvinder Singh and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

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

Present:- Mr. Rakesh Kumar, Advocate
for the petitioners in CRM-M-26718 of 2017.

Mr. Navjot Singh, Advocate
for the petitioners in CRM-M-27013 of 2017.

Mr. A.S. Dhaliwal, DAG, Punjab.

HARI PAL VERMA, J.(ORAL)

This order shall dispose of the aforementioned two petitions filed under Section 482 Cr.P.C. as the same have arisen out of a common F.I.R. No.0041 dated 20.05.2017 under Sections 323, 324, 341, 148 and 149 IPC as

well as Section 326 IPC (added subsequently) registered at Police Station Fattu DHINGA, District Kapurthala.

The petition bearing No.*CRM-M-26718 of 2017* has been filed for quashing of the aforesaid FIR and all consequential proceedings arising therefrom on the basis of compromise dated 12.06.2017 effected between the parties.

Similarly, the other petition bearing No.*CRM-M-27013 of 2017* has been filed for quashing of the cross-version recorded at Police Station Fattu DHINGA vide General Diary Details No.031 dated 24.05.2017 under Sections 323, 324, 341, 148 and 149 IPC as well as Section 326 IPC (added subsequently) along with Rapat in the aforementioned F.I.R.

However, for convenience and clarity, the detailed order is being passed in the petition bearing No.*CRM-M-26718 of 2017*.

This Court vide order dated July 27, 2017 had directed the parties to appear before the Illaqa Magistrate/trial Court on 16.08.2017 and the Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Sub Divisional Judicial Magistrate, Sultanpur Lodhi and have got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted the report dated 22.08.2017 to the effect that both the parties have effected compromise which is genuine, voluntary, without any threat, pressure, coercion or undue influence.

The factum of compromise between the parties has not been disputed by learned State counsel.

The statement of respondent No.2, namely, Harvinder Singh, who is author of the FIR in question, recorded before learned Magistrate on 16.08.2017 is being reproduced as under:

“Stated that, I have compromised the matter with petitioner/accused Manjit Kaur, Ranjit Singh, Jarnail Singh and Surinder Kaur, all r/o village Khiranwali, Kapurthala, voluntary, without any pressure, threat or coercion with the intervention of respectable of the locality and our relatives, to keep harmony amongst the parties. I have no objection if the present FIR against accused be quashed.”

To the same effect is the statement made by respondent No.3, namely, Tasvir Kaur, who is injured in the FIR in question.

Similarly, in the connected petition i.e. **CRM-M-27013 of 2017**, the statement of respondent No.2 Manjit Kaur, who is author of the DDR in question, recorded by learned Magistrate on 16.08.2017, reads as under:

“Stated that, I have compromised the matter with petitioners/accused Harvinder Singh, Amarjit Kaur, Karnail Singh, Harmanpreet Singh, Harkamalpreet Singh and Tasvir Kaur, all r/o village Khiranwali, Kapurthala, voluntary, without any pressure, threat or coercion with the intervention of respectable of the locality and our relatives, to keep harmony amongst the parties. I have no objection if the present FIR against accused be quashed.”

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. as well as the cross-version.

Thus, 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*, both these petitions are allowed.

Consequently, the F.I.R. No.0041 dated 20.05.2017 under Sections 323, 324, 341, 148 and 149 IPC as well as Section 326 IPC (added subsequently) registered at Police Station Fattu DHINGA, District Kapurthala (Annexure P-1) along with Rapat (Annexure P-2) and all subsequent proceedings arising therefrom including cross-version recorded in the aforesaid FIR at Police Station Fattu DHINGA vide General Diary Details No.031 dated 24.05.2017 under Sections 323, 324, 341, 148 and 149 IPC as well as Section 326 IPC (added subsequently) along with Rapat are quashed on the basis of compromise dated 12.06.2017 (Annexure P-3).

Photocopy of this order be also placed on the file of other connected case.

September 29, 2017

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No