

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

250

CRM-M-27436 of 2017

Date of Decision:28.11.2017

Kamaljeet Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Ms. Sandeep Kaur Randhawa, Advocate for
Mr. R.S. Sidhu, Advocate,
for the petitioners.**

**Mr. M.S.Nagra, A.A.G., Punjab,
for respondent No.1.**

**Ms. Navneet Kaur, Advocate for
Mr. G.S. Nahel, 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 DDR No.37 dated 15.06.2017 under Sections 452, 323, 506, 148, 149 IPC in case FIR No.52 dated 13.06.2017 under Sections 452, 323, 506, 34 IPC, registered at Police Station Khanauri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

This Court vide order dated 01.08.2017 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, however, parties could not appear. Again

vide order dated 19.09.2017, another opportunity was granted to the parties to get their statements recorded, in terms of order dated 01.08.2017 passed by this Court.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Moonak and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.09.2017 to the effect that the parties have compromised the matter voluntarily and without any pressure or undue influence and the compromise is genuine.

Respondent Nos.2, complainant, namely, Gurmail Singh, has made a statement with regard to compromise before learned Magistrate on 21.09.2017. The same is reproduced as under:-

“Stated that matter has been compromised with accused with my free and voluntary consent without any pressure or coercion from the side of accused. FIR may kindly be quashed.”

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 case.

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 DDR No.37 dated 15.06.2017 under Sections 452, 323, 506, 148, 149 IPC in case FIR No.52 dated 13.06.2017 under Sections 452, 323, 506, 34 IPC, registered at Police

Station Khanauri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise (Annexure P-3).

November 28, 2017
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No