

267.

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

CRM-M-29426-2017

Date of decision:24.10.2017.

RAHUL AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Prashant Vashisth, Advocate,
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab,
for respondent No.1.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.252 dated 30.10.2016 under Sections 379-B/411/427/34 IPC, registered at Police Station Division No.7, Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 24.07.2017 (Annexure P-2).

This Court vide order dated 11.08.2017 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.

Pursuant to the aforesaid order, parties have appeared

before learned Additional District Judge, Jalandhar and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.10.2017 to the effect that the compromise effected between the parties seems to be genuine, voluntary and without any coercion or undue influence from any corner.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Rajat Kumar, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 20.09.2017. The same is reproduced as under:-

“Stated that FIR No.252 dated 30.10.2016 under Section 379B, 427, 34 IPC was registered at PS Div. No.7, Jalandhar on my statement. I have compromised the matter with accused party with the intervention of respectables. I have no objection if the present FIR is quashed and accused are acquitted in this case. ”

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.252 dated 30.10.2016 under Sections 379-B/ 411/427/34 IPC, registered at

subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 24.07.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

24.10.2017

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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No