

245.

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

CRM-M-32092-2016

Date of decision:18.08.2017

RAVINDER KUMAR @BINDA & ORS ... Petitioners

versus

STATE OF PUNJAB AND ANR Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Lakhwinder Singh Mann, Advocate,
for the petitioners.

Mr. Sandeep Kumar, DAG, 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.168 dated 28.07.2011 under Sections 323, 458, 506, 34 IPC, registered at Police Station Nakodar, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 09.09.2016 had directed the parties to appear before the trial Court to get their statements recorded and the trial Court 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, Nakodar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.09.2016 to the effect that the parties have arrived at a volunteer compromise.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Gurmej Singh Teji but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 21.09.2016. The same is reproduced as under:-

“Stated that present FIR has been got registered on my statement against accused Ravinder Kumar alias Binda, Gurmit Kaur, Amrit and Gagandeep alias Gagan. In the said occurrence, I was the only injured. I entered into a compromise voluntarily at my own without any pressure, undue inference and coercion with the accused Ravinder Kumar alias Binda, Gurmeet Kaur and Gagandeep. The accused Amrit is Proclaimed person in this case. I have no objection if FIR may kindly be quashed against accused Ravinder Kumar alias Binda, Gurmit Kaur, Amrit and Gagandeep alias Gagan.”

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

others (2012) 10 SCC 303, this petition is allowed and F.I.R. No.168 dated 28.07.2011 under Sections 323, 458, 506, 34 IPC, registered at Police Station Nakodar, District Jalandhar (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

18.08.2017
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No