

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

251

CRM-M-32999 of 2017

Date of Decision:21.11.2017

Harpal Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. R.S. Randhawa, Advocate,
for the petitioners.

Mr. Atinder Pal Singh Jaurkian, A.A.G., Punjab,
for respondent No.1.

Mr. Kumar Vishav Aggarwal, 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 FIR No.0091 dated 21.09.2015 under Sections 420, 120-B IPC, registered at Police Station City Malerkotla-I, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 01.08.2017 (Annexure P-2).

This Court vide order dated 07.09.2017 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 Sub Divisional Judicial Magistrate, Malerkotla and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted her report dated 09.11.2017 to the effect that with the intervention of respectable persons, the parties have compromised the matter. The compromise is voluntary, without any coercion and undue influence.

Respondent Nos.2, complainant, namely, Yadwinder Nath, has made a statement with regard to compromise before learned Magistrate on 08.11.2017. The same is reproduced as under:-

“The FIR No.0091 dated 21.09.2015 under Sections 420, 120-B IPC, PS, City-I Malerkotla was registered on the basis of my statement against the accused Harbhinder Kaur and others. The matter in dispute qua FIR referred above has been compromised between the parties with the intervention of respectables, relatives. The compromise is genuine, voluntary and without any coercion and undue influence. The photocopy of my Identity card is Mark A1. In view of compromise, the quashing petition filed by the accused before the Hon'ble High Court, may please be accepted.”

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 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)

under Sections 420, 120-B IPC, registered at Police Station City Malerkotla-I, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 01.08.2017 (Annexure P-2).

November 21, 2017
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(HARI PAL VERMA)
JUDGE

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