

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

254

CRM-M-34176 of 2017

Date of Decision:28.11.2017

Varsha Rani and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

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

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

Mr. Zorawar Singh, Advocate for
Mr. H.S. Virk, 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.114 dated 15.07.2015 under Sections 406, 420, 120-B IPC, registered at Police Station Division No.7, District Jalandhar City (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.02.2017 (Annexure P-2).

This Court vide order dated 14.09.2017 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 Chief Judicial Magistrate, Jalandhar and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 01.11.2017 to the effect that the parties have compromised the matter voluntary and without any pressure from any side and it is not a result of any pressure or coercion. The compromise is genuine and valid.

Respondent No.2-Complainant, namely, Vijay Kumar Bhardwaj, has made a statement with regard to compromise before learned Magistrate on 31.10.2017. The same is reproduced as under:-

“That F.I.R. No.114 dated 15.07.2015 under Sections 406, 420, 120-B IPC PS Division No.7, Jalandhar was registered by me against accused Ashok Singh son of Dalvir Singh, Harpreet Kaur daughter of Versha Rani and Varsha Rani. With the intervention of the respectables, the matter has been compromised with accused/petitioner Ashok Singh and Versha Rani voluntarily and without any pressure, threat or undue influence. Accused Harpreet Kaur has already been declared as proclaimed offender by the Court. I have no grudge against accused Ashok Singh and Versha Rani and I have settled all the claims arising out of the present F.I.R. and now I have no objection if the F.I.R. against accused /petitioners is quashed by the Hon'ble High Court. I have brought my aadhar card, copy of same is Ex.C1 (Original seen and returned) ”.

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 FIR.

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 FIR No.114 dated 15.07.2015 under Sections 406, 420, 120-B IPC, registered at Police Station Division No.7, District Jalandhar City (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 13.02.2017 (Annexure P-2).

November 28, 2017
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No