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

CRM-M-35756-2017

Date of decision:30.11.2017.

HARDEV SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Narinder Singh Dadwal, Advocate, for the petitioner.

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

Mr. Jagjit Singh, 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 F.I.R. No.112 dated 25.08.2016 under Sections 323/324, registered at Police Station Sadar Kapurthala, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 14.09.2017 (Annexure P-2).

This Court vide order dated 25.09.2017 had directed the parties to appear before the trial Court/Illaq Magistrate 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 Chief Judicial Magistrate, Kapurthala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.11.2017 to the effect that the compromise has been effected between the parties voluntarily and without

any pressure.

Respondent No.2-complainant, namely, Harjinder Singh has made his statement with regard to compromise before learned Magistrate on 06.10.2017. The same is reproduced as under:-

“I had got registered present FIR No.112 Dt. 25.08.2016, Under Section 323/324 IPC, P.S. Sadar, Kapurthala, against Hardev Singh s/o Ajit Singh resident of Village Sidhwan Dona, PS Sadar Kapurthala. I have compromised the matter with the above said accused voluntarily, without any pressure or coercion and with the intervention of the respectable of the locality to keep harmony amongst ourself. I have no objection if the proceedings against the above said accused 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 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.112 dated 25.08.2016 under Sections 323/324, registered at Police Station Sadar Kapurthala, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise/affidavit dated 14.09.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

30.11.2017
sanjeev/mamta

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