

261.

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

CRM-M-36366-2017

Date of decision:15.12.2017.

CHARANJEET KAUR AND ANR

... Petitioners

Versus

STATE OF HARYANA AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Arpandeeep Narula, Advocate,
for the petitioners.

Mr. Ashok Singh Choudhary, Additional Advocate General,
Haryana, for respondent No.1.

Mr. Jagjit Gill, 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.57 dated 16.02.2015 under Sections 386/ 389/ 328/ 506/34 of IPC, Police Station Rania, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/ affidavit dated 03.05.2017 (Annexures P-2 & P-3).

Vakalatnama filed on behalf of respondent No.2, is taken on record.

This Court vide order dated 28.09.2017 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 Additional Sessions Judge, Sirsa and got their statements recorded. On the basis of the statements so recorded, learned Judge has submitted report dated 14.11.2017 to the effect that the compromise effected between the parties is genuine and voluntary.

Respondent No.2-complainant, namely, Nachhatar Singh has made his statement with regard to compromise before learned Additional Sessions Judge on 03.11.2017. The same is reproduced as under:-

“The present case was got registered by me and submitted an application on 16.02.2015 and the present case FIR no.57 dated 16.02.2015 u/s 386/389/328/506 IPC read with section 34 IPC, P.S. Rania was registered against Charanjit Kaur and three others. On the intervention of respectable persons of the village and relatives a compromise has been effected. I have no objection if the FIR registered in this case against the accused persons is withdrawn. In the present case there are four accused persons namely Charanjit Kaur, Jasbir Kaur (present in the court today) and Harvinder Singh and Simrandeep Kaur (Proclaimed Offenders) in this case. I am making the present statement before this Court voluntarily, without any coercion or undue influence.”

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.57 dated 16.02.2015 under Sections 386/ 389/ 328/ 506/34 of IPC, Police Station Rania, District Sirsa (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 03.05.2017 (Annexures P-2 & P-3).

(HARI PAL VERMA)
JUDGE

15.12.2017
sanjeev

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