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

CRM-M-36993-2017

Date of decision:12.12.2017.

SUKHWINDER SINGH @ SUKHJINDER AND ORS ... Petitioners

Versus

STATE OF PUNJAB AND ORS Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Aminder Singh, Advocate,
for the petitioners.

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

Mr. Damanjit Singh Sandhu, Advocate,
for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.27 dated 08.04.2016 under Sections 425/323/324/34 IPC, registered at Police Station Sadar Sunam, Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 08.05.2017 (Annexure P-2).

This Court vide order dated 03.10.2017 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, Sunam and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 05.12.2017 to the effect that the compromise has been effected between the parties voluntarily with free consent and without any coercion, undue influence or fear.

Respondent No.2-complainant, namely, Gurlal Singh has made his statement with regard to compromise before learned Magistrate on 06.11.2017. The same is reproduced as under:-

“Stated that FIR No.27 dated 08.04.2016, Under Sections 452, 323, 324, 34 of IPC, Police Station Sadar Sunam was registered on my statement. I have compromised with all the accused. The compromise is voluntarily with free consent and without any threat, coercion, undue influence or fear. No accused is PO in the present case. I have no objection if present FIR is quashed.”

Apart from above, a similar statement has been made by the injured-respondent No.3, namely, Jasbir Kaur, whereby she has shown no objection to the FIR being quashed.

Learned State counsel as well as learned counsel for respondents No.2 & 3 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.27 dated 08.04.2016 under Sections 425/323/324/34 IPC, registered at Police Station Sadar

Sunam, Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 08.05.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.12.2017
sanjeev

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