

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

CRM-M-37112 of 2017.

Decided on:-13.12.2017.

Simarjit Singh alias Rammi.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

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

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Present:-    Mr. Aman Dhir, Advocate  
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Brij Mohan, Advocate for  
Mr. S.S. Sarwara, Advocate  
for respondent No.2-complainant.

**HARI PAL VERMA, J.(ORAL)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.83 dated 27.04.2017 under Section 379-B IPC registered at Police Station Lambi, District Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 18.09.2017 (Annexure P-2).

This Court vide order dated October 04, 2017 had directed the parties to appear before the trial Court to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order, the petitioner as well as respondent No.2-complainant Sita Devi have appeared before learned Sub Divisional Judicial Magistrate, Malout and got their statements recorded on 06.11.2017. On the basis of the statements so recorded by the parties, learned Magistrate has submitted the report dated 27.11.2017 to the effect that the compromise effected between the parties is voluntary and without any threat or coercion.

The FIR in question has been recorded on the basis of statement of respondent No.2-complainant Sita Devi. Her statement made before learned Magistrate on 06.11.2017 in support of the compromise, reads as under:

*“Stated that FIR No.83 dated 27.04.2017 under Section 379-B of IPC PS Lambi was registered against Simarjit Singh @ Rammi son of Bahadar Singh on my statement. Now the matter has been compromised with the intervention of the respectables amicably. The compromise has been effected voluntarily, without undue influence, any coercion and with the free will of the parties. I have no objection if the FIR No.83 dated 27.04.2017, U/S 379-B of IPC PS Lambi, is quashed.”*

Learned State counsel as well as learned counsel for respondent No.2-complainant have not disputed the factum of compromise effected between the parties.

In view of the above, continuation of the proceedings before the trial Court in the instant FIR qua the petitioner shall be an abuse of the process of law.

Thus, 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*, the present petition is allowed and the FIR No.83 dated 27.04.2017 under Section 379-B IPC registered at Police Station Lambi, District Sri Muktsar Sahib (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 18.09.2017 (Annexure P-2).

**December 13, 2017**  
Yag Dutt

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No