

263.

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

CRM-M-37412-2017

Date of decision:15.12.2017.

SURINDER KAUR AND ORS.

... Petitioners

Versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sandeep Arora, Advocate,
for the petitioners.

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

None 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.139 dated 10.08.2017 under Sections 379-B, 342, 149 of IPC, Police Station Bhargo Camp, Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.08.2017 (Annexure P-2).

This Court vide order dated 06.10.2017 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 Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. On the basis of the statements

so recorded, learned Magistrate has submitted report dated 15.11.2017 to the effect that the compromise effected between the parties appears to be genuine one and without any force and pressure.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Ragini Thakur, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 10.11.2017. The same is reproduced as under:-

“Stated that the present case FIR No.139 dated 10.08.2017 under Sections 379B, 342, 149 IPC, PS Bhargo Camp, Jalandhar was registered on my statement against accused persons namely Surinder Kaur, Jaswinder Singh and Satwinder Kaur. With the intervention of respectables, the matter has been compromised between me and the accused persons. Compromise has been effected voluntarily without any pressure, coercion, undue influence and with my free will. Compromise was also reduced into writing. Original compromise has been produced before the Hon'ble High Court and copy of the same is mark A. I have no objection if the present FIR is quashed by the Hon'ble High Court. I have brought my original adhar card today in the court and copy of the same is Ex.C1.”

Learned State counsel has 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.139 dated 10.08.2017
under Sections 379-B, 342, 149 of IPC, Police Station Bhargo Camp,
Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom
are quashed qua the petitioners on the basis of compromise dated
12.08.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

15.12.2017
sanjeev

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