

265.

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

CRM-M-38188-2017

Date of decision:15.12.2017.

BALDEV SINGH

... Petitioner

Versus

STATE OF PUNJAB THROUGH S.H.O. P.S. DHURI CITY, DISTRICT
SANGRUR AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

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.79 dated 12.07.2017 under Sections 323/324/34 of IPC, registered at Police Station City Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 01.08.2017 (Annexure P-2).

This Court vide order dated 11.10.2017 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 orders, parties have appeared before learned Sub Divisional Judicial Magistrate, Dhuri and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 20.11.2017 to the effect that the compromise is

genuine, voluntary or without any pressure or undue influence.

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

“I had got registered F.I.R. No.79 dated 12.07.2017 under Sections 323/324/34 IPC at Police Station City, Dhuri, against accused Baldev Singh son of Teja Singh Resident of Dhuri Pind. The instant FIR was got registered against accused Baldev Singh only by name and no accused is proclaimed offender in this case. No other case is pending between us. I have compromised with accused with the intervention of respectables. I entered into compromise with the accused with my own free will and without any pressure or coercion. I have no objection if on the basis of above said compromise, instant FIR lodged by me against the accused, is quashed.”

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.79 dated 12.07.2017

under Sections 323/324/34 of IPC, registered at Police Station City Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 01.08.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

15.12.2017
sanjeev

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