

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-4000 of 2017

Date of Decision: 25.08.2017

Satnam Singh @ Satta & others

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

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

Present:- None for the petitioners.

Mr. A.S. Dhaliwal, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.114 dated 18.8.2016 under Sections 452, 324, 323, 506, 34 IPC and Section 326 IPC (added later on) registered at Police Station Ghall Khurd, District Ferozepur (Annexure P-1) and consequent proceedings arising therefrom on the basis of compromise dated 21.11.2016 (Annexure P-2).

This Court vide order 8.2.2017 had directed the parties to appear before the Illaqa Magistrate to get their statements recorded with regard to compromise and learned Illaqa Magistrate was directed to submit its report regarding the genuineness of the compromise so effected on the basis of statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate Ist Class, Ferozepur and got their statements recorded. Learned Magistrate has forwarded her report dated 1.3.2017 to the effect that the aforesaid statements have been recorded by the parties voluntarily and their compromise has been arrived at without any threat, undue influence or coercion. Thus, the compromise appears to be genuine and valid. The statement of Sukhchain Singh, complainant, which is also accompanied with the report, suggests that he has compromised the matter with the petitioners without any pressure and he does not want to continue with the FIR in question.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052 (P&H), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)10 SCC 303, this petition is allowed and FIR No.114 dated 18.8.2016 under Sections 452, 324, 323, 506, 34 IPC and Section 326 IPC (added later on) registered at Police Station Ghall Khurd, District Ferozepur (Annexure P-1) is quashed *qua* the petitioners in view of the compromise dated 21.11.2016 (Annexure P-2).

August 25, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No