

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

264

CRM-M-40494 of 2017

Date of Decision:19.12.2017

Jagsir Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Suresh Singla, Advocate,
for the petitioners.

Mr.Bhupender Beniwal, A.A.G., Punjab,
for respondent No.1.

Mr. Munish Garg, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0055 dated 27.03.2017 under Sections 452, 324, 34 IPC, registered at Police Station Raman, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.03.2017 (Annexure P-2).

This Court vide order dated 30.10.2017 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 Judicial Magistrate 1st Class, Talwandi Sabo and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 17.11.2017 to the effect that the parties have compromised the matter voluntarily and without any pressure or coercion.

Respondent No.2-Complainant, namely, Mahavir Singh, has made a statement with regard to compromise before learned Magistrate on 16.11.2017. The same is reproduced as under:-

“Stated that I have got registered FIR No.55 dated 27.3.2017 u/s 452, 323, 34 of IPC, P.S. Raman and now the matter has been compromised with the accused Jagsir Singh, Paramjit Singh alias Pamma and Jaskaran Singh @ Jassa with the intervention of Panchayat and respectable persons as well as relatives. Now I have no grudge with the accused persons. Accused persons are present in Court today. I have no objection in case aforesaid FIR is quashed. No other case is pending between us. ”

Learned State counsel as well as learned counsel for respondent No.2 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 FIR No.0055 dated 27.03.2017 under Sections 452, 324, 34 IPC, registered at Police Station

Raman, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 29.03.2017 (Annexure P-2).

December 19, 2017
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No