

240.

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

CRM-M-41442-2016

Date of decision:02.08.2017

ROOP SINGH @ ROOP

... Petitioner

versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sanjeet Singh Taank, Advocate,
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab,
for respondent No.1.

Mr. Akhilesh Vyas, 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 F.I.R. No.274 dated 06.10.2013 under Sections 326/324/323/506/34 IPC, registered at Police Station Cheharta, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 03.11.2016 (Annexure P-2).

This Court vide order dated 21.11.2016 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 Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.02.2017 to the effect that the compromise effected between the parties appears to be genuine & valid, outcome of free consent of the parties and is without coercion from any quarter.

Respondent No.2-complainant, namely, Mandeep Singh @ Baba has made his statement with regard to compromise before learned Magistrate on 19.12.2016. The same is reproduced as under:-

“Stated that the FIR no.274 dated 6.10.2013 under section 326, 324, 323, 506, 34 IPC was got registered by me at police station Chehrata. Now a compromise has been effected between me and accused Roop Singh @ Roop with the intervention of respectables for the betterment of the parties and to end the future enmity/conflict between the parties and this compromise is arrived at between the parties with their free will and free consent. I have no objection if the present FIR and subsequent proceedings on the basis of this FIR are quashed.”

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 F.I.R. No.274 dated 06.10.2013 under Sections 326/324/323/506/34 IPC, registered at Police Station Cheharta, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 03.11.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

02.08.2017
sanjeev

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