

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

CRM-M-40993-2015 (O&M)

Date of decision-31.07.2017

Darshan Singh and others

...Petitioners

Vs.

State of Punjab and another

...Respondents

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

Present: Mr. J.S.Bhinder, Advocate for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Jagmeet Singh, Advocate for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 482 of the Code of Criminal Procedure is for quashing of FIR No.147 dated 06.08.2015 registered under Sections 384, 389, 506 and 120-B of Indian Penal Code (in short 'IPC') at Police Station City Sunam, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.11.2015 (Annexure P-2).

This Court vide order dated 23.07.2016 had directed the parties to appear before the 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 Sub-Divisional Judicial Magistrate, Sunam and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 01.08.2016 to the effect that the compromise effected between the parties is genuine, voluntary, without any threat or coercion.

Respondent No.2-complainant, namely, Harveer Singh has made his statement with regard to compromise before learned Magistrate on 30.07.2016. The same is reproduced as under:-

“Stated that FIR No.147 dated 06.08.2015, under Sections 384, 389, 506, 120-B of IPC, Police Station City Sunam was registered on my statement. I have compromised with the accused Darshan Singh, Manjit Singh, Balwinder Singh and Amarjit Kaur. The compromise is voluntarily with free consent and without any coercion undue influence or fear. I have no objection if present FIR is quashed qua accused Darshan Singh, Manjit Singh, Balwinder Singh and Amarjit Kaur. PO proceedings against accused Manpreet Kaur are pending.

RO& AC

Sd/-

Sd/-

(Lavdeep Hundal)

(Harveer Singh)

SDJM / 30.07.2016”

Learned State counsel as well learned counsel appearing on behalf of 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 FIR.

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.147 dated 06.08.2015 registered under Sections 384, 389, 506 and 120-B of IPC at Police Station City Sunam, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 16.11.2015 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

July 31, 2017

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