

241.

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

CRM-M-44399-2016

Date of decision:12.07.2017

SHARANJEET SINGH @ SONU SAINI ... Petitioner

versus

STATE OF PUNJAB AND ORS Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Jaideep Verma, Advocate,
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab,
for respondent No.1.

Mr. Himanshu Chhabra, Advocate,
for Mr. Vikram Rathore, Advocate,
for respondents No.2 and 3.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0205 dated 09.10.2016 under Sections 341, 323, 324, 506, 34 IPC, registered at Police Station Kharar City (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.11.2016 (Annexure P-2).

This Court vide order dated 13.12.2016 had directed the parties to appear before the trial Court/Illaq Magistrate 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, Kharar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 13.01.2016 to the effect that the compromise effected between the parties is genuine, voluntarily and out of free will.

Respondent No.2-complainant, namely, Sukhjit Singh and respondent No.3-Manjot Singh Sidhu have made a joint statement with regard to compromise before learned Magistrate on 22.12.2016. The same is reproduced as under:-

“Stated that we have compromised the matter in dispute with the accused namely Sharanjit Singh @ Sonu Saini age 18 years, s/o Kuldeep Singh, r/o village Desumajra, Tehsil Kharar, Distt. Mohali, out of our free Will without any coercion, inducement, threat or pressure. We have registered the FIR no.205 dated 09.10.2016 U/s 341, 323, 324, 506, 34 IPC, P.S. City Kharar against the above named accused, but as now, the compromise has been effected between us, so, we have no objection if the above said FIR and the consequential proceedings are quashed against the above named accused persons, in the interest of justice.”

Learned State counsel as well as learned counsel for respondent Nos.2 and 3 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.0205 dated 09.10.2016 under Sections 341, 323, 324, 506, 34 IPC, registered at Police Station Kharar City (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 15.11.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.07.2017
sanjeev

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