

In the High Court of Punjab and Haryana at Chandigarh

Criminal Misc. No. M-9562 of 2016 (O&M)

Date of Decision: 04.9.2017

Angrej Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Deepak Bhardwaj, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

HARI PAL VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 482 Cr.P.C. for quashing of F.I.R. No. 50 dated 09.5.2011 under Section 341, 323, 324, 148, 149 IPC, registered at Police Station Singh Bhagwantpur, Rupnagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-5).

Learned counsel for the petitioner submits that pursuant to the order dated 18.3.2016, the petitioner has surrendered before the trial Court and has been admitted on bail.

This Court vide order dated 01.2.2017 had directed the parties to appear before the trial Court to get their statements recorded and the trial Court 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, Ropar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.2.2017 to the effect that the compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence.

Though no one has put in appearance on behalf of respondent No. 2-complainant, namely, Harpal Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 16.02.2017. The same is reproduced as under:-

“Stated that I have affected compromise with Angrej Singh in an FIR No. 50 dt. 9.5.2011 u/s 341, 323, 324, 148, 149 IPC registered at PS Singh Bhagwantpur. The compromise has been effected without any type of threat or coercion and pressure. If the said FIR be quashed I will have no objections to the same. The copy of compromise is Ex. C1 dt. 26.02.2016 on which I identify my signatures at point A. The self attested copy of my Aadhar Card is Ex. Ex. C2.”

Learned State counsel does not dispute 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. 50 dated 09.5.2011 under Section 341, 323, 324, 148, 149 IPC, registered at Police Station

Singh Bhagwantpur, Rupnagar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise.

(HARI PAL VERMA)
JUDGE

September 04, 2017
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No