

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

CRM-M-10256-2018

Date of decision:05.10.2018

Gurvinder Singh @ Kannu & Ors.

... Petitioners

versus

State of Punjab & Anr.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Manuj Chadha, Advocate,
for the petitioners.

Mr. Surinder Pal Singh Tinna, Addl. A.G., Punjab.
for respondent No.1.

Mr. Sarabjeet Singh, Advocate,
for Mr. Inderpreet Singh, Advocate,
for respondent Nos.2 & 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.105 dated 14.06.2016 under Sections 323, 379-B, 341, 506, 148, 149, 427 IPC, registered at Police Station Division 4, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 28.02.2018 (Annexure P-2).

This Court vide order dated 13.03.2018 had directed the parties to appear before the Chief Judicial Magistrate/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 Judicial Magistrate Ist Class, Ludhiana on 05.04.2018 and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 11.09.2018 to the effect that the compromise effected between the parties appears to be genuine, voluntary, without any fear, coercion or undue influence.

Respondent No.2-complainant, namely, Sandeep Singh and respondent No.3 Mandeep Singh (injured) have made a joint statement with regard to compromise before learned Magistrate on 05.04.2018. The same is reproduced as under:-

“Stated that FIR No. 105 dated 14.06.2016, under Sections 323/379B/341/506/148/149/427 of IPC, PS Division No.4, Ludhiana, was got registered by me against Gurwinder Singh @ Kannu S/o Lakhwinder Singh, Amanpreet @ Aman S/o Lakhwinder Singh, Chhota Deepak S/o Ashok Kumar Gulati, Badal S/o Komal Singh, Davinder Singh S/o Jaspal Singh and Satwant Singh @ Satta S/o Surinder Singh. Now with the intervention of the respectables we have entered into compromise with the above-said accused without any pressure and coercion and with our own free will. We have no objection if the present FIR is quashed against above-said accused. We have brought our ID-proofs i.e residence certificate of Sandeep Singh, which is Ex.C1 and Driving License of Mandeep Singh, which is Ex.C2. No such case is pending against us nor we have declared proclaimed offender by any court.”

Learned counsel for the petitioners states that the matter has been compromised between the parties and accordingly, a divorce petition has been filed.

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.105 dated 14.06.2016 under Sections 323, 379-B, 341, 506, 148, 149, 427 IPC, registered at Police Station Division 4, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 28.02.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

05.10.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No