

251.

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

CRM-M-12043-2018

Date of decision:12.07.2018.

LACHHMAN SINGH AND ORS.

... Petitioners

Versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. S.P. Soi, Advocate,
for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional Advocate General,
Punjab, for respondent No.1.

None 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.293 dated 29.12.2017 under Sections 323, 452, 506, 148 and 149 IPC, registered at Police Station Meharban, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 04.02.2018 (Annexure P-2).

This Court vide order dated 02.04.2018 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 Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class,

Ludhiana and got their statements recorded. On the basis of statements

so recorded, learned Magistrate has submitted report dated 10.05.2018 to the effect that the parties have compromised the matter out of their free will and without any sort of pressure and fear.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Amar Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 08.05.2018. The same is reproduced as under:-

“Stated that I got lodged FIR no.293 dated 29.12.2017, U/s 323/452/506/148/149 IPC, P.S. Meharban, Ludhiana, against the accused Lachhman Singh S/o Lakha Singh, accused Kuldeep Kaur W/o Lachhman Singh, accused Teeka Singh S/o Chanan Singh, accused Kulwinder Kaur W/o Teeka Singh, accused Hardip Kaur W/o Prem Singh and accused Jasbir Kaur W/o Avtar Singh, all R/o Village Seehra, P.S. Meharban, District Ludhiana. Now I have entered into compromise with all the accused Lachhman Singh S/o Lakha Singh, accused Kuldeep Kaur W/o Lachhman Singh, accused Teeka Singh S/o Chanan Singh, accused Kulwinder Kaur W/o Teeka Singh, accused Teeka Singh S/o Chanan Singh, accused Kulwinder Kaur W/o Teeka Singh, accused Hardip Kaur W/o Prem Singh and accused Jasbir Kaur W/o Avtar Singh, all R/o Village Seehra, P.S. Meharban, District Ludhiana, out of my free will and without any sort of pressure and fear. Now all doubts between me and above said accused persons have been cleared. As such, I do not want to pursue with the case against the above said accused as the matter has been compromised. I undertake to appear before Hon'ble Court to suffer statement for quashing the above said FIR no.293 dated 29.12.2017, U/s 323/452/506/148/149 IPC, P.S. Meharban, Ludhiana. Accordingly, no body would initiate any legal proceedings regarding the said FIR against each other. Today I have brought my aadhar card as my proof of identity and photocopy of same is Ex.PG.”

Learned State counsel, on instructions from ASI Joginder Pal

Singh, 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.293 dated 29.12.2017 under Sections 323, 452, 506, 148 and 149 IPC, registered at Police Station Meharban, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 04.02.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.07.2018

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