

264.

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

CRM-M-12596-2018

Date of decision:24.07.2018

JOGINDERPAL @ BUBA AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Amninder Singh Cheema, Advocate,
for the petitioners.

Mr. Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Ms. Nisha Malik, Advocate, for
Mr. Sukhdev Singh, Advocate,
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.11 dated 15.02.2018 registered under Sections 323, 326, 148, 149 IPC at Police Station Bholath, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 24.02.2018 (Annexure P-2).

This Court vide order dated 26.03.2018 had directed the parties to appear before the Illaqa 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, Kapurthala and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.05.2018 to the effect that the compromise has been effected between the parties voluntarily, without any threat, coercion or pressure and the same is genuine one.

Respondent No.2-complainant, namely, Jatinderpal Singh alias Lalli has made his statement with regard to compromise before learned Magistrate on 02.05.2018. The same is reproduced as under:-

“That I am complainant in FIR No.11, dated 15.02.2018, under section 323/326/148/149 IPC, P.S. Bholath, District Kapurthala. Now I have compromised the matter with the all the accused. The matter in dispute has been compromised amicably with the intervention of respectables of Village between me and other accused. The compromise has already been placed before the Hon'ble Punjab & Haryana High Court. I have compromised the matter voluntarily and without any coercion or undue influence.”

Learned State counsel as well as 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 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.11 dated 15.02.2018

District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 24.02.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

24.07.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No