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

CRM-M-12667-2018

Date of decision:04.07.2018

BALBIR SINGH ALIAS VEERU AND OTHERS

... Petitioners

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. G.S.Brar, Advocate,
for the petitioners.

Mr. Tanvir Joshi, AAG, 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.415 dated 27.11.2017 under Sections 447/323/324/148/149 IPC, registered at Police Station Phillaur, District Jalandhar Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 25.01.2018 (Annexure P-2).

This Court vide order dated 27.03.2018 had directed the parties to appear before the Area 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

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.05.2018 to the effect that the compromise has been effected between the parties voluntarily, without any pressure or coercion and is genuine one.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Sandeep Kaur, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 23.04.2018. The same is reproduced as under:-

“I have compromised the matter with accused persons, namely, Balbir Singh @ Beera S/o Mahinder Singh, Rashpal Kaur wife of Mahinder Singh, Manjit Kaur wife of Balbir Singh and Joginder Kaur daughter of Ajit Singh, all R/o village Bharsinghpur, Tehsil Phillaur, District Jalandhar in the above mentioned case in the presence of respectable persons of both the parties. The compromise is voluntarily, without any inducement, threat, pressure or coercion. Now, I have no grudge against the accused party. I do not want to take any action against the accused in the present case. I have got no objection, if the present FIR against the accused persons is quashed by the Hon'ble Punjab and Haryana High Court, Chandigarh. The present compromise has taken place with my free consent and without any pressure. There is no any other person involved in this case, therefore no need of consent of any other person in this case. The compromise/affidavit is Ex.C1. I have also brought my ID proof and the same is Ex.C2.”

Learned State counsel has 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.415 dated 27.11.2017 under Sections 447/323/324/148/149 IPC, registered at Police Station Phillaur, District Jalandhar Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 25.01.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

04.07.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No