

271.

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

CRM-M-13823-2018

Date of decision:26.10.2018.

GURLEEN KAUR @ SARA SHEIKH & ANR.

... Petitioners

Versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Amandeep Singh, 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.137 dated 09.09.2016 registered under Sections 420, 494, 495, 120-B IPC at Police Station City-I, Malerkotla, Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 09.10.2017 (Annexure P-2).

This Court vide order dated 04.04.2018 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 Additional Civil Judge (Senior Division)-cum-Sub Divisional

Judicial Magistrate, Malerkotla and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 03.05.2018 to the effect that the compromise has been effected between the parties voluntarily, without any coercion and undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Mohd. Rashid, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 01.05.2018. The same is reproduced as under:-

“The FIR No.137 dated 09.09.2016, under Sections 420, 494, 495, 120-B IPC, City I Malerkotla was registered on the basis of my statement against accused Gurleen Kaur @ Sara Sheikh and her mother Surinder Kaur. The matter in dispute qua FIR referred above has been compromised between the parties with the intervention of respectables, relatives. The compromise is genuine, voluntary and without any coercion and undue influence. I have brought my original Adhaar Card in the Court and photocopy of the same is Mark E. In view of compromise, the quashing petition filed before Hon'ble High Court may please be accepted. I have never been declared proclaimed offender in any case.”

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

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.137 dated 09.09.2016 registered under Sections 420, 494, 495, 120-B IPC at Police Station City-I, Malerkotla, Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 09.10.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

26.10.2018
sanjeev

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