

254.

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

CRM-M-15373-2018

Date of decision:12.07.2018.

JUGRAJ SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. N.S. Dandiwal, Advocate, for the petitioners.

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

Mr.A.S. Sidhu, 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 DDR No.42 dated 26.03.2018 (Annexure P-1) in F.I.R. No.24 dated 24.03.2018 under Sections 341/323/148/149 IPC (Section 326 IPC added lateron), registered at Police Station Mehna, District Moga (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise dated 07.04.2018 (Annexure P-3).

This Court vide order dated 18.04.2018 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 Judicial Magistrate Ist Class, Moga and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 11.05.2018 to the effect that compromise effected

between the parties is genuine and voluntary in nature.

Respondent No.2-complainant, namely, Dalip Kaur has made her statement with regard to compromise before learned Magistrate on 27.04.2018. The same is reproduced as under:-

“Stated that in this case DDR No.42 Dated 26.03.2018, FIR No.24 dated 24.03.2018 U/s 341, 323, 148, 149 IPC and lateron added U/s 326 IPC, Police Station Mehna District Moga was registered against the accused on my statement. Now with the intervention our relatives and respectable persons of the locality I have effected compromise with all the accused. The compromise is genuine, without fear and coercion. Copy of my adhar card is mark A.”

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 case.

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 DDR No.42 dated 26.03.2018 (Annexure P-1) in F.I.R. No.24 dated 24.03.2018 under Sections 341/323/148/149 IPC (Section 326 IPC added lateron), registered at Police Station Mehna, District Moga (Annexure P-2) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 07.04.2018 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

12.07.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No