

255.

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

CRM-M-15395-2018

Date of decision:12.07.2018.

MANDEEP SINGH & ANR

... Petitioners

Versus

STATE OF PUNJAB & ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

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

Mr.G.S. Rawat, 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.08 dated 11.01.2018 under Sections 379-B, 411, 34 IPC, registered at Police Station Division No.8, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.03.2018 (Annexure P-2).

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, Jalandhar and got their statements

submitted report dated 03.07.2018 to the effect that the parties have entered into compromise with their free consent, without any pressure, coercion, undue influence and inducement from any quarter.

Respondent No.2-complainant, namely, Vijay Kumar has made his statement with regard to compromise before learned Magistrate on 31.05.2018. The same is reproduced as under:-

“Stated that I have compromised the matter with the accused persons in the FIR no.08 dated 11.01.2018 U/s 379 B, 411, 34 IPC registered with PS Div. no.8, Jalandhar on my statement. I have compromised the matter with my own sweet will without any threat, pressure or coercion from any side. Photocopy of compromise deed is Mark A. I have no objection if the FIR stated above recorded on my statement be quashed by Hon'ble High Court. I am making present statement without any threat and pressure from any side. Photocopy of my acknowledgement slip is Ex.P3 (original seen and returned).”

Learned State counsel, on instructions from HC Prem Singh, 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 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.08 dated 11.01.2018 under

Sections 379-B, 411, 34 IPC, registered at Police Station Division No.8, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 20.03.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.07.2018
sanjeev

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