

253.

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

CRM-M-15465-2018

Date of decision:28.08.2018.

YADVINDER SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab,
for respondent No.1.

None for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.117 dated 06.09.2015 registered under Sections 324/341/506/34 IPC at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 06.03.2018 (Annexure P-2).

This Court vide order dated 19.04.2018 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 Sub Divisional Judicial Magistrate, Talwandi Sabo and got their statements recorded. On the basis of the statements so recorded, learned

compromise effected between the parties is genuine, valid and is not the result of any pressure or coercion in any manner.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Gurpal Singh as well as respondent No.3 Harjot Singh, but no prejudice would be caused to them as they have already made a joint statement with regard to compromise before learned Magistrate on 21.04.2018. The same is reproduced as under:-

“Stated that matter has been compromised with petitioners/accused namely 1. Yadvinder Singh son of Gurtej Singh 2. Gurtej Singh son of Gurcharan Singh 3. Manjit Kaur wife of Gurtej Singh all residents of village Tangrali, Tehsil Talwandi Sabo, Distt. Bathinda voluntarily and without any threat, coercion or undue influence. No other case is pending between us and petitioners/accused. The present FIR may kindly be quashed on the basis of the compromise.”

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.117 dated 06.09.2015

registered under Sections 324/341/506/34 IPC at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 06.03.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

28.08.2018
sanjeev

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