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

CRM-M-16469-2018

Date of decision:31.07.2018

HARPREET SINGH @ HAPPY

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gursimran Singh Bawa, Advocate,
for the petitioner.

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

Ms. Manpreet Kaur, 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.51 dated 25.02.2018 registered under Sections 452, 341, 427, 506 IPC at Police Station Sadar, Amritsar, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.03.2018 (Annexure P-2).

Vakalatnama filed on behalf of respondent No.2 in court today, is taken on record.

This Court vide order dated 23.04.2018 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, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.06.2018 to the effect that the compromise effected between the parties is genuine, voluntarily and out of their free will.

Respondent No.2-complainant, namely, Balbir Singh has made her statement with regard to compromise before learned Magistrate on 07.05.2018. The same is reproduced as under:-

“Stated that an FIR no.51 dated 25.02.2018 under section was registered under Section 452/341/427/506 IPC at Police Station Sadar on my statement against the accused namely Harpreet Singh @ Happy son of Kuldeep Singh resident of Preet Nagar, Dayanand Nagar, near Gurudwara Sahib F.G.C. Road Nangali Bhatha, Amritsar, Distt. Amritsar. The FIR in question has been lodged on my statement at police station Sadar Amritsar. Now with the intervention of the respectables of society I have compromised the matter with the accused and I do not want to pursue the present FIR and on basis of such compromise all the accused had already filed a quashing petition vide CRM-M-16469 of 2018 before Hon'ble Punjab and Haryana High Court Chandigarh in which the direction was given by the Hon'ble Mr. Justice Sudip Ahluwalia to get the statements recorded before the Illaqa/Duty court and has fixed the next date as 24.07.18. I have no objection if the accused in this present case is acquitted and the FIR is quashed. I have compromised the matter with the accused person out of my free will and consent and without any pressure and undue influence. The photocopy of my adhar card is Ex.PX. (Original seen and returned.)”

Learned State counsel as well as learned counsel appearing on behalf of 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.51 dated 25.02.2018 registered under Sections 452, 341, 427, 506 IPC at Police Station Sadar, Amritsar, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 13.03.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

31.07.2018
sanjeev

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