

269.

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

CRM-M-17272-2018

Date of decision:24.07.2018

NEELAMJIT KAUR @ NEELAM KOHLI

... Petitioner

Versus

STATE OF PUNJAB & ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gagandeep Singh Virk, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Mr. Abhishek Bajaj, Advocate, for
Mr. Ajaypal Singh Sandhu, 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.104 dated 22.03.2018 registered under Sections 420, 506 IPC at Police Station Daba, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 25.04.2018 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 Civil Judge (Junior Division), Ludhiana and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.05.2018 to the effect that the compromise effected between the parties is genuine and without any pressure or coercion.

Respondent No.2-complainant, namely, Shakuntla Sharma has made her statement with regard to compromise before learned Magistrate on 16.05.2018. The same is reproduced as under:-

“Stated that I have lodged the present FIR i.e. FIR no.104 dated 22.03.2018 u/s 420, 506 IPC with the PS Daba, Ludhiana. Now the matter has been compromised between me and Neelam Jit Kaur @ Neelam Kohli. I do not have any objection if the FIR be quashed by the Hon'ble Punjab and Haryana High Court. Today, I am giving this statement in the court without any threat or pressure. The compromise has been arrived between us, without any coercion or any undue influence. I have seen the photocopy of the affidavit i.e. Ex. PX furnished by me, Husan Tara and of Rekha Devi on which I identify my signature as well as recognised my thumb impression on it. Husan Tara as well Rekha Devi has also put their thumb impression on the same in my presence. I have also brought my original Aadhar card and the photocopy of the same is Mark A duly attested by me.”

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.104 dated 22.03.2018 registered under Sections 420, 506 IPC at Police Station Daba, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise (Annexure P-2).

(HARI PAL VERMA)
JUDGE

24.07.2018
sanjeev

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