

266.

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

CRM-M-20313-2018

Date of decision:09.07.2018.

ARSHDEEP SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

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

None 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.75 dated 17.04.2018 under Sections 323/324/148/149 IPC (Section 326 IPC added later on), registered at Police Station City Ropar, District Ropar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 09.05.2018 (Annexure P-2).

This Court vide order dated 14.05.2018 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 Chief Judicial Magistrate, Rupnagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 06.07.2018 to the effect that the compromise has been effected between the parties with their free volition, without any inducement, threat, promise, coercion or undue influence from any quarter.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Karan Anand, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 22.05.2018. The same is reproduced as under:-

“Stated that FIR no.75 dated 17.4.2018 U/s 323/324/148/149 of IPC, later on added offence 326 of IPC Police Station: City Rupnagar has been registered against accused Arshdeep Singh and other accused. I have compromised the matter with the accused Arshdeep Singh. Compromise deed is Ex.PX. The said compromise was effected by me voluntarily without any pressure from any quarter. Compromise is genuine, voluntarily and without any coercion or undue influence. I have no objection if the present FIR only qua accused Arshdeep Singh be quashed. Copy of my Ration card is Ex.PY.”

Learned State counsel, on instructions from ASI Angrej Singh, states that though the I.O. is present but he is not aware about the compromise so arrived at between the parties.

Since this Court has already received a report from the learned Magistrate wherein it has been reported that the compromise is genuine and the complainant has no objection in case the present FIR qua the petitioner is quashed, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Therefore, 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.75 dated 17.04.2018 under Sections 323/324/148/149 IPC (Section 326 IPC added later on), registered at Police Station City Ropar, District Ropar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 09.05.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

09.07.2018
sanjeev

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