

259.

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

CRM-M-27444-2016

Date of decision:11.07.2018.

MEETA SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional Advocate General,
Punjab, with 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.160 dated 09.05.2016 under Sections 324/323 IPC, registered at Police Station City Barnala, District Barnala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 17.05.2016 (Annexure P-2).

This Court vide order dated 16.12.2016 had directed the parties to appear before the trial Court 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, Barnala and got their statements recorded.

On the basis of the statements so recorded, learned Magistrate has submitted

the parties is genuine, voluntary and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Mona Kaur but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 23.02.2017. The same is reproduced as under:-

“Stated that I am complainant in this case and the present FIR was registered on our statements against accused namely Meeta Singh, Jiwan Singh, Pammo, Biro, Happy Singh, Vicky Singh, Beerbal Singh and Soma Kaur. Now we have compromised the matter with the accused namely Meeta Singh, Jiwan Singh, Pammo, Biro, Happy Singh, Vicky Singh, Beerbal Singh and Soma Kaur without any pressure, coercion with the intervention of respectables. I have no objection if the present FIR be quashed.”

Learned State counsel states that the matter has been compromised between the parties.

Though this Court vide order dated 25.07.2017 had directed to ascertain as to whether the complainant had attained majority at the time of entering into compromise, taking into consideration the nature of offence, however, this Court finds that once she has appeared before the learned Magistrate and made a statement in support of compromise, 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

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.160 dated 09.05.2016 under Sections 324/323 IPC, registered at Police Station City Barnala, District Barnala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 17.05.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

11.07.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No