

265.

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

CRM-M-27587-2018

Date of decision:10.09.2018.

JASPAL RAM @ TINKA AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Sandeep Sharma, Advocate,
for the petitioners.

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

Mr. Rajesh Bhatheja, 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.170 dated 12.07.2010 registered under Sections 324, 323, 148, 149, 341, 506 IPC at Police Station Maqsudan, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 24.05.2018 (Annexure P-2).

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

This Court vide order dated 05.07.2018 had directed the parties to appear before the Illaqa Magistrate/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 Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 01.09.2018 to the effect that the compromise appears to be genuine and has been effected between the parties with their free will, without any pressure or coercion.

Respondent No.2-complainant, namely, Pardeep Kumar has made his statement with regard to compromise before learned Magistrate on 08.08.2018. The same is reproduced as under:-

“Stated that I have entered into compromise with accused persons in above noted case. After the compromise all the grudges have been settled in between me and the abovesaid persons and there is no undue pressure upon me for the compromise with the above said persons. In view of compromise present FIR No.170 dated 12.07.2010 of PS Maqsudan U/s 324/323/148/149/341/506 IPC, which was registered on my statement may kindly be quashed. I am giving this statement voluntarily and out of free will after understanding its effects. I have also brought my ID proof i.e. copy of Adhar Card (original seen and returned) which is Ex.P1. I have also seen the copy of compromise which is Mark A to my knowledge none of accused person has been declared proclaimed offender.”

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

SCC 303, this petition is allowed and F.I.R. No.170 dated 12.07.2010 registered under Sections 324, 323, 148, 149, 341, 506 IPC at Police Station Maqsudan, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 24.05.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

10.09.2018
sanjeev

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