

261.

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

CRM-M-29476-2018

Date of decision:25.09.2018.

JASBIR SINGH AND OTHERS

... Petitioners

Versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. G.S. Sandhu, Advocate,
for the petitioners.

Mr. Ripu Daman, AAG, Haryana,
for respondent No.1.

Mr. Dinesh Maurya, 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.632 dated 20.09.2009 registered under Sections 406, 420, 467, 468, 471/34 IPC at Police Station Civil Lines Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 22.06.2018 (Annexure P-2).

This Court vide order dated 17.07.2018 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 Chief Judicial Magistrate, Karnal and got their statements recorded.

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

report dated 18.08.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Sarabjit Kaur has made her statement with regard to compromise before learned Magistrate on 26.07.2018 to the effect that she has compromised the matter with the accused in the aforesaid FIR with her own free will, without any pressure, coercion or influence.

Learned State counsel as well as learned counsel appearing on behalf of respondents No.2 have not disputed the factum of compromise entered 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.632 dated 20.09.2009 registered under Sections 406, 420, 467, 468, 471/34 IPC at Police Station Civil Lines Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 22.06.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

25.09.2018

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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No