

259.

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

CRM-M-28999-2017

Date of decision:19.07.2018.

ARJAN SINGH AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sanjeev Sharma, Advocate, for
Mr. Veneet Sharma, Advocate,
for the petitioners.

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.225 dated 19.11.2013 registered under Sections 326, 324, 323, 341, 148, 149 IPC at Police Station Patti, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 02.06.2017 (Annexure P-2).

This Court vide order dated 15.01.2018 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, however, parties could not appear. Again, vide order dated 06.03.2018, the parties were granted one more opportunity to get their statements recorded.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Patti and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.03.2018 to the effect that the parties have compromised the matter with the intervention of the respectables and their compromise is free from any pressure, undue influence and coercion.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Darshan Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 20.02.2018. The same is reproduced as under:-

“That I am complainant in FIR no.225/13 dated 19.11.2013 under sections 326, 324, 323, 341, 148, 149 IPC P.S. Patti, District Tarn Taran which was recorded on the basis of my statement registered against the petitioners Arjan Singh etc. in the above said CRM-M-No.28999 of 2017. Petitioner has filed a petition under section 482 Cr.P.C. for quashing of above said FIR against them on the basis of compromise between the parties. I and the petitioners have compromised the matters through the intervention of respectables, by using our respective free will and consent and without using any undue influence and coercion in this regard. The compromise have been filed before the Hon'ble High Court which bears my signature and signatures of the petitioners. This compromise will bring peace, harmony and amity between the parties. This FIR may be quashed on the basis of our compromise. I do not want to take any action against the petitioner/accused and my grievances stand redressed. I have no objection if the above said FIR is quashed. Copy of the compromise is Ex.CA. Copy of my Adhar Card is Ex.CB which bears my signature.”

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to

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.225 dated 19.11.2013 registered under Sections 326, 324, 323, 341, 148, 149 IPC at Police Station Patti, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 02.06.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

19.07.2018
sanjeev

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