

273.

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

CRM-M-31538-2018

Date of decision:22.10.2018.

RAJINDERPAL SINGH @ RAJINDER PAL AND ANR ... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gurpal Singh Sandhu, Advocate,
for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional Advocate General,
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.92 dated 12.07.2018 registered under Sections 324/323/34 IPC at Police Station Sadar Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 17.07.2018 (Annexure P-2).

This Court vide order dated 27.07.2018 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 Additional Chief Judicial Magistrate, Sri Muktsar Sahib and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 31.08.2018 to the effect that the compromise is genuine and has been effected between the parties without any kind of undue influence or pressure.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Sukhjinder Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 29.08.2018. The same is reproduced as under:-

“Stated that present FIR against accused was registered at my instance. The said FIR was registered against Rajinderpal Singh and Attu @ Amit and one unknown person. However, panchayat and respectables persons of society have got compromise effected between us. Now there is no dispute between us and I do not want to take any action against accused. Our compromise is genuine without any pressure or undue influence. I have entered into compromise with my own sweet will without any pressure. I tender copy of my Aadhar card for the purpose of ascertaining my identity as Ex.C1.”

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 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**

Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.92 dated 12.07.2018 registered under Sections 324/323/34 IPC at Police Station Sadar Sri Muktsar Sahib (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/ affidavit dated 17.07.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

22.10.2018
sanjeev

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