

283.

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

CRM-M-32234-2018

Date of decision:10.10.2018.

BHAJAN 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.Rana Harjasdeep Singh, DAG, 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.76 dated 13.04.2018 registered under Sections 457/380/447/511/506/148/149 IPC at Police Station Jodhan, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 02.05.2018 (Annexure P-2).

This Court vide order dated 31.07.2018 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, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 30.08.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Parminder Sidhu, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 27.08.2018. The same is reproduced as under:-

“That a FIR no.76 dated 13.04.2018 was got registered at PS Jodhan, Ludhiana against the accused Harjit Singh, Deepinder Kaur, Bhajan Singh, Karamjit Kaur, Bhinder Singh, Satwinder Kaur, Shindi, Harwinder Singh and against wife of Shindi and his two sons. I am the complainant of the above said FIR. With the intervention of the respectables, I have compromised the matter with all the accused against whom the present FIR has been registered and the said compromise has been effected voluntarily without any pressure or any threat. The copy of compromise is Ex.PX. Accused Bhajan Singh, Karamjit Kaur, Deepinder Kaur, Harwinder Singh, Satwinder Kaur and Harjit Singh have preferred quashing petition before the Hon'ble Punjab and Haryana High Court vide CRM M No.32234 of 2018. The compromise is genuine. I have no objection if the present FIR and other consequential proceedings against all the accused are quashed. The present FIR has been registered against total 11 persons and out of those, six accused have preferred quashing petition but I have no objection if the FIR against remaining accused is also quashed.”

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.76 dated 13.04.2018 registered under Sections 457/ 380/447/511/506/148/149 IPC at Police Station Jodhan, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 02.05.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

10.10.2018
sanjeev

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