

276.

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

CRM-M-32626-2018

Date of decision:22.10.2018.

PRANAV NARULA

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Lajpat Sharma, Advocate, for
Ms. Garima Sharma, Advocate,
for the petitioner.

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.133 dated 24.04.2018 registered under Sections 279, 337, 427 IPC at Police Station Zirakpur, District SAS Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.07.2018 (Annexure P-3).

This Court vide order dated 02.08.2018 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, Dera Bassi and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.09.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any undue pressure or threat from anyone.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Nasib Sharma, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 31.08.2018. The same is reproduced as under:-

“Stated that one FIR No.133 dated 24.04.2018 U/S 279, 337, 427 IPC P.S. Zirakpur was lodged by me against accused Pranav Narula. Now, with the intervention of the respectables, I have voluntarily entered into compromise with the above said accused person out of my free will and without any pressure or undue influence, coercion, inducement, threat or promise from any side. I have no objection if the above said FIR is quashed by the Hon'ble Punjab and Haryana High Court and both the parties are bound to withdraw all civil as well as criminal litigation or any application moved by either of the parties against each other before any competent authority. Copy of my Adhaar lying on the Court file is Ex C-1.”

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.133 dated 24.04.2018 registered under Sections 279, 337, 427 IPC at Police Station Zirakpur, District SAS Nagar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 16.07.2018 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

22.10.2018
sanjeev

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