

261.

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

CRM-M-34179-2018

Date of decision:27.09.2018.

SIMARJIT SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Om Pal Sharma, Advocate,
for the petitioners.

Mr.Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Mr. M.S. Rana, 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.34 dated 05.02.2017 registered under Sections 324, 323, 341, 148, 149 and 506 of IPC at Police Station Division No.7 (Vardhman), Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 06.06.2018 (Annexure P-3).

This Court vide order dated 09.08.2018 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

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 26.09.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any undue influence and coercion.

Respondent No.2-complainant, namely, Rohit Sharma has made his statement with regard to compromise before learned Magistrate on 23.08.2018. The same is reproduced as under:-

“Stated that one FIR No.34 dated 05.02.2017 under Section 324, 323, 341, 148, 149 IPC PS Division No.7, Ludhiana has been registered by me against accused Simarjit Singh, Ankush Kanojia and Varinder Kumar @ Gopi. The matter has been compromised with the accused. This compromise is genuine and without any undue inducement, coercion or pressure. The compromise has been done voluntarily without any threat. I have brought original Adhaar Card today in the court and placed on record copy of the same. The original compromise deed is annexed with the quashing petition filed before the Hon'ble High Court. I have no objection if the present FIR is quashed against the accused Simarjit Singh, Ankush Kanojia and Varinder Kumar @ Gopi.”

Learned State counsel as well as learned counsel for respondent No.2 have 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 another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble

SCC 303, this petition is allowed and F.I.R. No.34 dated 05.02.2017 registered under Sections 324, 323, 341, 148, 149 and 506 of IPC at Police Station Division No.7 (Vardhman), Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 06.06.2018 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

27.09.2018
sanjeev

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