

256.

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

CRM-M-34983-2017

Date of decision:13.07.2018.

JAGJOT SINGH @ JOT

... Petitioner

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Kashika Kaur, Advocate, for
Mr. Gaurav Chopra, Advocate,
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab,
for respondent No.1.

Mr. Paramdeep, 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.269 dated 02.10.2015 under Sections 341/294/506 IPC, registered at Police Station Dakha, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 06.09.2017 (Annexure P-2).

This Court vide order dated 19.09.2017 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 statements so recorded, learned Magistrate has submitted report dated 17.11.2017 to the effect that compromise is genuine, voluntary and has been effected between the parties without any pressure, coercion or undue influence.

Respondent No.2-complainant has made her statement with regard to compromise before learned Magistrate on 23.10.2017. The same is reproduced as under:-

“Stated that the present case bearing FIR No.269 dated 02.10.2015 U/s 341, 294, 506 IPC, P.S. Dakha, Ludhiana has been got registered by me against the accused person namely Jagjot Singh @ Jot S/o S. Tarlochan Singh R/o College Road, Dakha, Distt. Ludhiana. Now with the intervention of respectables, I entered into compromise with the accused. A written compromise deed was executed which was appended with petition before Hon'ble High Court. I have brought my original ID card and copy of same is Ex.C1. As such, I do not want to pursue with the present case. I entered into compromise with my free consent, without any pressure and coercion. I have no objection if the aforesaid FIR is quashed by Hon'ble High Court.”

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.269 dated 02.10.2015 under Sections 341/294/506 IPC, registered at Police Station Dakha, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 06.09.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

13.07.2018
sanjeev

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