

268.

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

CRM-M-36558-2018

Date of decision:27.11.2018

GURPREET SINGH AND ANR

... Petitioners

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Naveen Bawa, Advocate,
for the petitioners.

Mr. Jagmohan Ghumman, 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.99 dated 28.06.2018 registered under Sections 323/341/506/148/149 of IPC at Police Station Jodhan, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.08.2018 (Annexure P-2).

This Court vide order dated 24.08.2018 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, Ludhiana and got their statements

submitted report dated 29.09.2018 to the effect that the compromise appears to be genuine and has been effected between the parties voluntarily, without any pressure and influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Lovepreet Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 28.09.2018. The same is reproduced as under:-

“That an FIR no.99 dated 28.06.2018 was registered at PS Jodhan, Ludhiana against the accused Gurpreet Singh and Jaskanwar Singh. I am the complainant of the above said FIR. With the intervention of the respectables, I have compromised the matter with the accused voluntarily without any pressure or any threat. Accused have preferred quashing petition before the Hon'ble Punjab and Haryana High Court. The compromise is genuine. Original compromise is already placed on record before the Hon'ble Court and copy of my Aadhaar Card is Ex.P1. I have no objection if the case FIR and other consequential proceedings against the accused may be quashed. No accused has been declared as Proclaimed Offender in the present case.”

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.99 dated 28.06.2018 registered under Sections 323/341/506/148/149 of IPC at Police Station Jodhan, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 13.08.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

27.11.2018
sanjeev

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