

268.

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

CRM-M-38185-2018

Date of decision:28.11.2018.

SATGUR SINGH AND ORS.

... Petitioners

Versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Iqbal Singh Mann, Advocate,
for the petitioners.

Mr. Jagmohan Ghumman, DAG, Punjab,
for respondent No.1.

Mr.Rajinder Singh Dhaliwal, 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 DDR No.32 dated 08.04.2015 registered under Sections 451, 323, 149 of IPC at Police Station Dharamgarh, District Sangrur (Annexure P-2) in FIR No.20 dated 08.04.2015 under Sections 341, 323, 506, 427, 148, 149 of IPC, Police Station Dharamgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 21.05.2018 (Annexure P-3).

This Court vide order dated 04.09.2018 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, Sunam and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.10.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily, with their free consent, without any fear, undue influence and pressure.

Respondent No.2-complainant, namely, Sukhpal Kaur has made her statement with regard to compromise before learned Magistrate on 05.10.2018. The same is reproduced as under:-

“I have compromised the matter with the accused persons namely Satgur Singh, Chamkaur Singh, Gurbinder Singh, Sandeep Singh and Jagsir Singh, all residents of village Maidewas, Tehsil Sunam, District Sangrur in DDR No.32 dated 8.4.2015 and FIR no.20 dated 8.4.2015 under Sections 323 read with section 149 of IPC at Police Station Dharamgarh, District Sangrur. The compromise effected between me and the accused persons is genuine, voluntarily, without any coercion, influence and pressure. I have no objection if the present FIR be quashed against the accused persons.”

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise arrived at 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 case.

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 DDR No.32 dated 08.04.2015 registered under Sections 451, 323, 149 of IPC at Police Station Dharamgarh, District Sangrur (Annexure P-2) in FIR No.20 dated 08.04.2015 under Sections 341, 323, 506, 427, 148, 149 of IPC, Police Station Dharamgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 21.05.2018 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

28.11.2018
sanjeev

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