

268/2.

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

CRM-M-38214-2018

Date of decision:28.11.2018.

AMOLAK SINGH AND ORS.

... Petitioners

Versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rajinder Singh Dhaliwal, Advocate,
for the petitioners.

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

Mr.Iqbal Singh Mann, 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.20 dated 08.04.2015 registered under Sections 341, 323, 506, 427, 148, 149 of IPC at 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, Chamkaur Singh has made his 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 Amolak Singh, Sukhpal Kaur, Gurpreet Kaur, Gurwinder Singh and Amrik Singh, all residents of village Maidewas, Tehsil Sunam, District Sangrur in FIR no.20 dated 8.4.2015 under Sections 341, 323, 506, 427, 148, 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 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.20 dated 08.04.2015

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