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

CRM-M-37625-2017

Date of decision:24.07.2018

KARAN KAPOOR AND ANR

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Jasmeet Singh Ghumman, Advocate,
for the petitioners.

Mr. Rana Harjasdeep Singh, 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.104 dated 12.06.2017 registered under Sections 454/380/381 IPC at Police Station Division No.5, Police Commissionerate Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.08.2017 (Annexure P-2).

This Court vide order dated 07.10.2017 had directed the parties to appear before the Illaqa Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise, however, the complainant could not appear. Again, vide order dated 06.03.2018, parties were directed to appear before the trial Court for recording their statements in support of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.03.2018 to the effect that the compromise has been effected between the parties voluntarily, without any pressure, coercion or undue influence from any quarter.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Chirag Dawar, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 16.03.2018. The same is reproduced as under:-

“That an FIR No.104 dated 12.06.2017 under Section 454, 380, 381 of IPC was lodged with the Police Station Divn. No.5 Jalandhar on the basis of statement made by me against accused Gaurav Tandon, Karan Kapoor and Sagar Kapoor. I have voluntarily arrived at compromise with the accused namely Karan Kapoor and Sagar Kapoor vide compromise deed dated 11.08.2017 Mark-X without any pressure, threat or coercion with my own will. I have separately arrived at compromise with accused Gaurav Tandon. My identify proof which is a photocopy of Adhar Card is Ex.C1 (original seen and returned). I have no objection if the said FIR against accused Karan Kapoor and Sagar Kapoor is quashed.”

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 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 Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.104 dated 12.06.2017 registered under Sections 454/380/381 IPC at Police Station Division No.5, Police Commissionerate Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 11.08.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

24.07.2018
sanjeev

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