

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

CRM-M-38849-2018

Date of decision:05.12.2018

JASDEV SINGH AND OTHERS

... Petitioners

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Lajpat Sharma, Advocate,
for the petitioners.

Mr. Ripu Daman, AAG, Haryana,
for respondent No.1.

None for respondents No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.18 dated 30.01.2014 registered under Sections 323/325/34 of IPC at Police Station Bilaspur, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 31.08.2018 (Annexure P-2).

This Court vide order dated 07.09.2018 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, Sub Division, Bilaspur, Yamuna Nagar and got their statements recorded. On the basis of the statements so

recorded, learned Magistrate has submitted report dated 12.10.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily, and without any coercion or undue influence.

Though today none has put in appearance on behalf of complainant-respondent No.2-Ranjit Singh as well as respondents No.3 and 4-Amrit Singh and Jasbir Singh respectively, but no prejudice would be caused to them as they have already made a joint statement (along with the petitioners) with regard to compromise before learned Magistrate on 08.10.2018. The same is reproduced as under:-

“It is stated that Ranjeet Singh got registered an FIR bearing No.18, dated 30.01.2014 against the accused persons for the offences punishable under Sections 323, 325 read with Section 34 of IPC at Police Station Bilaspur. Now, we have arrived at a compromise with the intervention of respectable persons and friends, and therefore, we have approached the Hon'ble Punjab & Haryana High Court, Chandigarh and filed CRM-M-38849 of 2018 under Section 482 of Cr.P.C for quashing of above said FIR. Now, we have no grudge against each other and we have arrived at compromise without any pressure of anyone at our own will. Copy of compromise is annexure-C1. We further undertake to maintain peace and harmony against each others.”

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.18 dated 30.01.2014 registered under Sections 323/325/34 of IPC at Police Station Bilaspur, District Yamuna Nagar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 31.08.2018 (Annexure P-2), however, that would be subject to payment of costs of Rs.5,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within 15 days from today.

(HARI PAL VERMA)

JUDGE

December 05, 2018

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

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