

274.

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

CRM-M-39625-2018

Date of decision:27.11.2018

AVTAR SINGH & ORS.

... Petitioners

versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.Shubhashish Kukreti, Advocate,
for the petitioners.

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

Mr. Mayank Mathur, Advocate,
for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.71 dated 15.11.2014 registered under Sections 452/323/341/506/148/149 of IPC (Sections 325/34 of IPC were added lateron) at Police Station Sanaur, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.08.2018 (Annexure P-2).

This Court vide order dated 11.09.2018 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, Patiala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 13.11.2018 to the effect that the compromise appears to be genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

Respondent No.2-complainant, namely, Jagjit Singh and the injured Karamjit Kaur-respondent No.3 have made a joint statement with regard to compromise before learned Magistrate on 16.10.2018. The same is reproduced as under:-

“That the matter has been compromised between me and accused namely Avtar Singh S/o Mohinder Singh, Jaspreet Singh S/o Avtar Singh, Harjinder Kaur @ Bholi W/o Avtar Singh and Gurjant Singh S/o Kulwant Singh all residence of Village Bhankhar, PS Sanour, Patiala and we do not want to proceed further with the present FIR. As such, the FIR may kindly be quashed in the interest of justice.”

Learned State counsel as well as learned counsel for respondents No.2 and 3 have 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**

Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.71 dated 15.11.2014 registered under Sections 452/323/341/506/148/149 of IPC (Sections 325/34 of IPC were added lateron) at Police Station Sanaur, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 23.08.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

27.11.2018
sanjeev

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