

267.

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

CRM-M-42536-2014

Date of decision:17.10.2018.

SUMIT SINGH @ PRINCE PUNIA

... Petitioner

Versus

STATE OF PUNJAB & ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

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.53 dated 01.04.2013 registered under Sections 452, 325, 323, 341, 506, 427, 148, 149 IPC at Police Station Sadar, Khanna (Annexure P-1) as well as chargesheet dated 15.01.2014 (Annexure P-2) (wrongly typed as 15.01.2015) and all subsequent proceedings arising therefrom on the basis of compromise dated 26.11.2014 (Annexure P-3).

This Court vide order dated 12.12.2014 had directed the parties to appear before the trial Court/Illaqa Magistrate 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, Khanna and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.01.2015 to the effect that the compromise has been effected between the parties voluntarily.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Ranjodh Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 02.01.2015. The same is reproduced as under:-

“I have compromise the matter with accused No.2 Sumit Singh @ Prince Punia as per compromise dated 26.11.2014. I have seen the photocopy of compromise Ex.CX dated 26.11.2014 which bears my signature and I identify my signature on the same. Kindly FIR be quashed as per compromise against accused No.2 Sumit Singh @ Prince Punnia.”

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.53 dated 01.04.2013 registered under Sections 452, 325, 323, 341, 506, 427, 148, 149 IPC at

15.01.2014 (Annexure P-2) (wrongly typed as 15.01.2015) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 26.11.2014 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

17.10.2018
sanjeev

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