

263.

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

CRM-M-44177-2018

Date of decision:17.12.2018

RAJINDER SINGH @ SODHI AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Satish Singla, Advocate,
for the petitioners.

Mr.Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Mr. Sagar Aggarwal, Advocate, for
Mr. Sukhmeet Singh, 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.0103 dated 01.09.2018 registered under Sections 324, 323, 341, 508, 148, 149 of IPC at Police Station Amloh, Fatehgarh Sahib (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 25.09.2018 (Annexure P-2).

This Court vide order dated 05.10.2018 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

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.11.2018 to the effect that the compromise effected between the parties is voluntary, without any undue influence or pressure.

Respondent No.2-complainant, namely, Saudagar Khan has made his statement with regard to compromise before learned Magistrate on 14.11.2018. The same is reproduced as under:-

“With the intervention of respectable persons I have entered into compromise with accused Rajinder Singh Gurpreet Singh @ Gopi, Sukhwinder Singh @ Putti all resident of Ramdasiaa Mohalla, Backside Qila, Amloh, District Fatehgarh Sahib. The compromise is duly signed by me as well as by the accused and copy of the compromise is Mark-C1 and the same is not the result of fraud in any manner and with the free will & voluntary and without any threat coercion. I identify my signature on said compromise. The same is genuine one. I have no objection if FIR No.103 dated 1.9.2018 under section 323, 323, 341, 508, 148, 149 of IPC registered at P.S. Amloh, District Fatehgarh Sahib is quashed.”

Learned counsel for respondent No.2-complainant states that due to typographical error in the statement of complainant, Section 323 IPC has been repeated twice. In fact, the statement of complainant was to the effect that he has no objection if the FIR is quashed qua the offence under Section 324 IPC as well.

Learned State counsel as well as learned counsel appearing on behalf of respondent No.2 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 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.0103 dated 01.09.2018 registered under Sections 324, 323, 341, 508, 148, 149 of IPC at Police Station Amloh, Fatehgarh Sahib (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 25.09.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

17.12.2018
sanjeev

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