IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

257 **CRM-M-44979-2018**

Date of Decision:13.12.2018

Amarpal Singh **.....Petitioner**

Versus

State of Punjab and another **.....Respondents**

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: **Mr. Narinder Singh Dadwal, Advocate,**
for the petitioner.

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Mr. Jagjit Singh, Advocate,
for respondent No.2.

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HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0047 dated 09.02.2018 under Sections 454, 380, 411 IPC, registered at Police Station Division No.5, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 06.10.2018 (Annexure P-2).

This Court vide order dated 11.10.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Addl. Chief Judicial Magistrate, Ludhiana and got their statements

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recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.11.2018 to the effect that the compromise effected between the parties is genuine, voluntarily and without any coercion or undue influence.

Respondent No.2-Complainant, namely, Veena Bhardwaj, has made a statement with regard to compromise before learned Magistrate on 15.11.2018. The same is reproduced as under:-

> *"Stated that I am complainant in this case FIR No.47 of 9.2.2018 under Sections 454, 380, 411 IPC, PS Division No.5, Ludhiana as said FIR was registered on my statement against accused namely Amarpal Singh. Now matter has been compromised between me and accused. I have compromised the matter voluntarily, with my free will, without any pressure from any side and I have no objection if the present FIR is quashed. Compromise is Ex.C1 and same bears my signatures. Copy of my Adhar Card is Ex.C2."*

Learned State counsel as well as learned counsel for 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 FIR No.0047 dated 09.02.2018 under Sections 454, 380, 411 IPC, registered at Police Station Division No.5, Ludhiana (Annexure P-1) and all subsequent proceedings arising

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therefrom are hereby quashed qua the petitioner on the basis of compromise dated 06.10.2018 (Annexure P-2).

December 13, 2018 **(HARI PAL VERMA)**
seema **JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No

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