IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-47121-2017 (O&M)
Date of decision: January 22, 2018

Ekamjot Singh and others **.... Petitioners**

Versus

State of Punjab and others **.... Respondents**

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rajan Singh Dadwal Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Umesh Kumar Kanwar, Advocate
for respondents No.2 to 4.

RAJ SHEKHAR ATTRI, J.(ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.316 dated 29.09.2017, under Sections 341, 323, 506, 149 of Indian Penal Code and later on added Section 325 of IPC, registered at Police Station City Jagraon, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 04.12.2017 (Annexure P-2).

This Court vide order dated 12.12.2017 had directed the parties to appear before the trial Court to get their statements recorded and the learned Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before Judicial Magistrate Ist Class (Duty), Jagraon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 11.01.2018 to the effect that compromise effected between the parties is without any pressure, coercion, voluntarily and genuine one.

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Respondents No.2 to 4-complainants, namely, Ajay Kumar, Bittu and Sunita Rani have made a joint statement with regard to compromise before learned Magistrate on 22.12.2017 which reads as under:-

> *"That the above noted case was registered on the basis of our statement. We have compromised the matter with the accused persons. The compromise has been effected by us without any fear or pressure and with the intervention of respectables. We have no objection if the accused persons be acquitted from the charges levelled against them."*

Learned State counsel as well as learned counsel for respondents No.2 to 4 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. and it will amount to abuse of the process of law.

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.316 dated 29.09.2017, under Sections 341, 323, 506, 149 of Indian Penal Code and later on added Section 325 of IPC, registered at Police Station City Jagraon, District Ludhiana Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 04.12.2017 (Annexure P-2).

January 22, 2018 **(RAJ SHEKHAR ATTRI)**
m. sharma **JUDGE**

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

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