

246.

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

CRM-M-7690-2018

Date of decision:04.07.2018

PARGAT SINGH AND ORS.

... Petitioners

versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

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

Mr. Tanvir Joshi, AAG, Punjab,
for respondent No.1.

Mr. Navjeet 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.364 dated 02.12.2017 under Sections 341, 324, 323, 34 IPC (Section 326 IPC added lateron), registered at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.01.2018 (Annexure P-2).

This Court vide order dated 23.02.2018 had directed the parties to appear before the trial Court/Illaq 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 Sub Divisional Judicial Magistrate, Talwandi Sabo and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 13.03.2018 to the effect that the compromise effected between the parties is genuine, voluntary, without any kind of undue influence and out of free will of the parties.

Respondent No.2-complainant, namely, Jaswant Singh has made his statement with regard to compromise before learned Magistrate on 06.03.2018. The same is reproduced as under:-

“Stated that matter has been compromised with petitioners namely Pargat Singh, Vikramjeet Singh @ Vicky and Harjeet Kaur all residents of Zamber Basti, Village Jagga Ram Tirath, Tehsil Talwandi Sabo, District Bathinda voluntarily and without any threat, coercion or undue influence. No other case is pending between me and petitioners. The present FIR may kindly be quashed on the basis of the compromise.”

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**

Sections 341, 324, 323, 34 IPC (Section 326 IPC added lateron), registered at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 19.01.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

04.07.2018
sanjeev

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