

268.

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

CRM-M-1052-2019

Date of decision:18.03.2019

GURWINDER SINGH @ JOGA

... Petitioner

versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

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

Mr. Arjun Veer Sharma, Advocate,
for respondents No.2 & 3.

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 06.03.2018 registered under Sections 354/354-D/427/506 of IPC at Police Station Jamalpur, District Police Commissionerate, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 11.01.2019 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 learned Judicial Magistrate Ist Class, Ludhiana and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 14.02.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any pressure, coercion or undue influence from any quarter.

Respondent No.2-complainant, namely, Ramandeep Singh has made his statement with regard to compromise before learned Magistrate on 08.02.2019. The same is reproduced as under:-

“Stated that I have got registered FIR bearing no.53 dated 06.03.2018 u/s 354, 354/D, 427, 506 of IPC registered at PS Jamalpur, Ludhiana on behalf of my wife namely Jaspreet Kaur against Gurwinder Singh @ Jagga s/o Jaswinder Singh r/o H.no.2388/1 Makhan wali gali, Amarpura, ldh. Now the matter has been compromised and I have no objection if the above said FIR be quashed/cancelled against the above said accused person or the accused person is acquitted in the present case. I have entered into compromise with my free will, without any force or coercion.”

Apart from above, a similar statement has been made by respondent No.3-Jaspreet Kaur wife of Ramandeep Singh, whereby she has shown no objection to the FIR being quashed.

Learned State counsel as well as learned counsel for respondents No.2 and 3 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***

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 06.03.2018 registered under Sections 354/354-D/427/506 of IPC at Police Station Jamalpur, District Police Commissionerate, Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise (Annexure P-2).

(HARI PAL VERMA)
JUDGE

18.03.2019
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No