

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

274

CRM-M-4171-2019

Date of Decision:10.05.2019

Gurvinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Ravinder S. Rana, Advocate for
Mr. Harkirat Sandhu, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab,
for respondent No.1.

Mr. J.S. Bhandohal, 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 FIR No.0017 dated 16.01.2019 under Sections 354-D, 506 IPC, registered at Police Station Dera Bassi, District SAS Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.01.2019 (Annexure P-2).

Power of attorney filed on behalf of respondent No.2 today in the Court, is taken on record.

This Court vide order dated 29.01.2019 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 Sub Divisional Judicial Magistrate, Dera Bassi and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 09.04.2019 to the effect that a compromise has been effected between the parties and they have no objection, if the FIR in the present matter be quashed.

Respondent No.2-complainant, namely, Amarjeet Kaur, has made a statement with regard to compromise before learned Magistrate on 08.03.2019. The same is reproduced as under:-

“Stated that FIR No.17 dated 16.01.2019, under Sections 354-D, 506 IPC, Police Station Dera Bassi was registered on the basis of my statement. Now I have compromised the matter with the accused with my free consent and sweet will. I have no objection if the said FIR is quashed and appropriate order be passed. ”

Learned State counsel as well as learned counsel for respondent Nos.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.0017 dated 16.01.2019 under Sections 354-D, 506 IPC, registered at Police Station Dera Bassi,

District SAS Nagar(Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 19.01.2019 (Annexure P-2).

May 10, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No