

269.

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

CRM-M-6775-2019

Date of decision:14.05.2019

AMARJIT SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

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

None 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.0305 dated 29.10.2017 registered under Section 354-A of IPC and Section 67 of Information Technology Act, 2000 at Police Station Tripri Patiala, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of settlement/compromise dated 24.01.2019 (Annexure P-2).

This Court vide order dated 14.02.2019 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, Patiala and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.04.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Pooja Rani but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 28.03.2019. The same is reproduced as under:-

“Stated that I had got registered FIR no.305 dated 29.10.2017 under Section 354-A IPC and 67 Information Technology Act PS Tripuri Patiala against accused Amarjit Singh. I have compromised the matter with the accused and now there is no dispute between us. I have entered into compromise and the same is genuine, voluntarily and without any pressure, force, coercion, undue influence or fraud. I have no objection if the FIR is quashed as per compromise.”

Learned State counsel has 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 F.I.R. No.0305 dated 29.10.2017

Technology Act, 2000 at Police Station Tripri Patiala, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of settlement/compromise dated 24.01.2019 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

14.05.2019
sanjeev

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