

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

276

CRM-M-11282-2019

Date of Decision:15.05.2019

Sukhraj Kaur and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Amit Arora, Advocate,
for the petitioners.

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

Mr. Jagjeet Singh, Advocate,
for respondent Nos.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.160 dated 23.07.2017 under Sections 452, 354, 323, 506, 34 IPC, registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.02.2019 (Annexure P-4).

This Court vide order dated 12.03.2019 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 Judicial Magistrate 1st Class, Tarn Taran and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.03.2019 to the effect that the compromise has been arrived at between the parties and the same is genuine, voluntarily, without any coercion or undue influence and with their free will.

Respondent No.2-complainant, namely, Baby, has made a statement with regard to compromise before learned Magistrate on 27.03.2019. The same is reproduced as under:-

“Stated that I have compromised the matter with accused 1) Sukhraj Kaur, 2) Jaspal Singh, both resident of village Johal Raju Singh, Tehsil and Distt. Tarn Taran 3) Sukhbaj Singh r/o village qila kavi Santokh Singh, Tehsil and Distt. Tarn Taran Punjab, in the above mentioned FIR No.160 dated 23.07.2017, u/s 452, 354, 323, 506, 34 of IPC, PS, City Tarn Taran with the intervention of respectable persons. The original compromise is attached with the quashing petition pending before the Hon'ble High Court, Chandigarh. The attested copy of my Adhar Card is Ex.C1. The above said compromise is genuine and is without pressure and coercion or undue influence. I and accused persons shall live peacefully in future. I have no objection, if the above said FIR be quashed.”

Apart from above, a similar statement has also been made by respondent No.3-Daya Ram, whereby he has shown no objection to the present FIR being quashed.

Learned State counsel as well as learned counsel for respondent Nos.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 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.160 dated 23.07.2017 under Sections 452, 354, 323, 506, 34 IPC, registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 23.02.2019 (Annexure P-4).

May 15, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No