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

CRM-M-11128-2019

Date of decision:16.05.2019

LAKHVIR SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Yashveer Kharb, Advocate,
for the petitioner.

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

Mr. Munish Garg, 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.0085 dated 21.06.2018 registered under Sections 354-A, 500, 506 & 509 of IPC at Police Station Barnala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 22.02.2019 (Annexure P-2).

This Court vide order dated 11.03.2019 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 Additional Chief Judicial Magistrate, Barnala and got their

statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 26.04.2019 to the effect that the compromise is genuine and has been effected between the parties without any pressure, coercion or undue influence.

Respondent No.2-complainant, namely, Paramjit Kaur has made her statement with regard to compromise before learned Magistrate on 18.04.2019. The same is reproduced as under:-

“Stated that I am complainant in this case and the present FIR was registered on my statement against the accused namely Lakhvir Singh only. No other accused or person involved in present FIR. Now I have compromised the matter with the accused without any pressure, undue influence, coercion, and with the intervention of respectables, the copy of compromise is Ex.P1 and same is genuine. I have no objection if FIR no.0085 dated 21.06.2018 under Sections 354-A, 500, 506, 509 IPC, PS Sadar Barnala, be kindly quashed. ”

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 SCC 303***, this petition is allowed and F.I.R. No.0085 dated 21.06.2018 registered under Sections 354-A, 500, 506 & 509 of IPC at Police Station Barnala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 22.02.2019

(Annexure P-2), however, that would be subject to payment of costs of Rs.5,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within one month from today.

(HARI PAL VERMA)
JUDGE

16.05.2019
sanjeev

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