

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

287

CRM-M-23833-2018

Date of Decision:13.09.2019

Hakam Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: None for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

**Mr.Ranjit Singh Sidhu, Advocate for
Mr. Gopal Singh Nahel, 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.19 dated 25.03.2017 under Section 354 IPC, registered at Police Station Longowal, District Sangrur, Punjab(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of the compromise(Annexure P-2).

This Court vide order dated 16.05.2019 had directed the parties to appear before the trial Court/Illaq Magistrate 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 1st Class, Sangrur and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.07.2019 to the effect that the compromise effected between the parties is genuine, voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Sukhjinder Kaur, has made a statement with regard to compromise before learned Magistrate on 18.07.2019. The same is reproduced as under:-

“Stated that I am the complainant and the only effected party and the matter has been compromised with the accused Hakam Singh with the help of respectables of the society and I have entered into compromise with the accused without any undue influence or coercion and voluntarily and the compromise is genuine and valid and I do not want to pursue the present FIR against the accused.”

Learned State counsel, on instructions from SI Hardeep Singh 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.

Thus, 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***, as 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.19 dated 25.03.2017 under Section 354 IPC, registered at Police Station Longowal, District Sangrur, Punjab(Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of the compromise(Annexure P-2), subject to payment of costs of

Rs.5,000/- to be paid by the petitioner, within a period of one month from today with the **Post Graduate Institute of Medical Education and Research, Chandigarh** and the said amount would be spent for the treatment of poor patients within the knowledge of its Director. The petitioner shall produce a receipt with the Registry.

September 13, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No