

CRM-M-14571-2019 (O&M)

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

**CRM-M-14571-2019 (O&M).
Decided on: May 22, 2019.**

Bobby

.. Petitioner

VERSUS

State of Punjab and others

.. Respondents

* * *

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

* * *

**PRESENT Mr.P.B.S.Goraya, Advocate,
for the petitioner.**

Mr.Jagmohan Ghumman, DAG, Punjab.

None 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 F.I.R. No.0146 dated 26.11.2016, under Sections 363 and 366-A IPC, registered at Police Station Ajnala, District Amritsar (**Annexure P-4**) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.10.2018 (**Annexures P-2 and P-3**).

This Court vide order dated 1.4.2019 had directed the parties to appear before the trial Court/Illaq Magistrate to get their

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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 Sub Divisional Judicial Magistrate, Ajnala, on 29.4.2019, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 13.5.2019, to the effect that the parties appeared in the Court on 29.4.2019, and statements of complainant Amarjit Kaur, victim Harman and petitioner Bobby regarding compromise have been recorded. The learned Magistrate has further reported that the parties have compromised the matter without any pressure, coercion and have no objection if the FIR is quashed. There are three accused in the FIR and none of the accused has been declared as proclaimed offender/person.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Amarjit Kaur, but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 29.4.2019. The same is reproduced as under:-

“Stated that my daughter Harman was having strong liking for accused Bobby and the both have solemnised marriage on 4.11.2017 and we are not opposed to their marriage. As such, we have compromised with the accused Bobby son of Balbir Singh, resident of Village Chamyari, Tehsil Anjala, Amritsar, in case got lodged by me bearing FIR No.146

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dated 26.11.2016 U/s 363 and 366-A IPC. P.S. Ajnala. The compromise has been effected between me and the accused person with the intervention of the respectables and relatives. My compromise is genuine and voluntary one and without any pressure. Photocopy of my aadhar Card is attached as Ex.P1.”

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 FIR.

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* 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.0146 dated 26.11.2016, under Sections 363 and 366-A IPC, registered at Police Station Ajnala, District Amritsar (**Annexure P-4**) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 11.10.2018 (**Annexures P-2 and P-3**).

May 22, 2019.
raj arora

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No