

273.

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

CRM-M-14481-2019

Date of decision:02.08.2019

LAKHVIR SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.136 dated 27.10.2016 registered under Section 354-A of IPC at Police Station Sri Chamkaur Sahib, District Rupnagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 18.03.2019 (Annexure P-2).

This Court vide order dated 30.04.2019 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, Rupnagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.05.2019 to the effect that the compromise is genuine and has been effected between the parties voluntary and without any coercion or undue influence from any side.

Though today none has put in appearance on behalf of

would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 17.05.2019. The same is reproduced as under:-

“Stated that above FIR was registered on my complaint against accused Lakhvir Singh son of Kirpal Singh. In present case, compromise has been effected with my free consent and without any pressure. Copy of my aadhar card is Ex P2. I have no objection if above FIR against above accused is quashed by Hon'ble High Court.”

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

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.136 dated 27.10.2016 registered under Section 354-A of IPC at Police Station Sri Chamkaur Sahib, District Rupnagar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 18.03.2019 (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

02.08.2019

SANJEEV KUMAR
2019.08.02 15:27
I attest to the accuracy and
integrity of this document

sanjeev

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No