

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

303

CRM-M-16884-2019

Date of Decision:20.05.2019

Sukhdev Singh @ Sukhi and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. Navjot Singh, Advocate,
for the petitioners.**

**Mr. Jagmohan Ghumman, D.A.G., Punjab,
for respondent No.1.**

**Mr. Arjun Kundra, Advocate for
Mr. Rahul, 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.118 dated 13.10.2018 under Sections 354-B, 506 IPC, registered at Police Station Phul, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 26.02.2019 (Annexure P-2).

This Court vide order dated 11.04.2019 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, Phul and got their statements recorded.

On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.05.2019 to the effect that the compromise between the parties has been effected voluntarily without any pressure, threat or coercion.

Respondent No.2-complainant, namely, Banso Kaur, has made a statement with regard to compromise before learned Magistrate on 25.04.2019. The same is reproduced as under:-

“Stated that a compromise has been effected between me and accused namely Sukhdev Singh @ Sukhi and Sukhpal Singh @ Jaspal Singh, resident of Phul Town, Tehsil Phul, District Bathinda with the intervention of respectable persons and I do not want to continue my case against the above said accused persons, in FIR No.118 dated 13.10.2018 under Section 354-B, 506 IPC, registered at Police Station Phul, District Bathinda. In this regard the written compromise has also been executed between me and accused in the presence of witnesses and the copy of the same is Ex.CX. Now there is no dispute between me and accused persons of any kind. I have given the statement out of my free will, without any external pressure or coercion. I have no objection if the FIR No.118 dated 13.10.2018 under Section 354-B, 506 IPC registered at Police Station Phul, District Bathinda is quashed against the above mentioned accused persons.”

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 FIR No.118 dated 13.10.2018 under Sections 354-B, 506 IPC, registered at Police Station Phul, District Bathinda(Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 26.02.2019 (Annexure P-2).

May 20, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No