

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

254

CRM-M-37575-2018

Date of Decision:01.02.2019

Harpreet Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Tarun Jhatta, Advocate,
for the petitioners.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

Mr. M.K. Singla, Advocate for
Mr. Arshdeep Singh Sra, 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.259 dated 30.11.2017 under Sections 323, 354, 506, 427, 148, 149 IPC, registered at Police Station Zira, District Ferozepur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.07.2018 (Annexure P-2).

This Court vide order dated 30.08.2018 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, Zira and got their statements recorded.

On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.09.2018 to the effect that the compromise arrived at between

the parties is voluntarily and with free consent.

Respondent No.2-complainant, namely, Balbir Kaur @ Balvir Kaur, has made a statement with regard to compromise before learned Magistrate on 07.09.2018. The same is reproduced as under:-

“Stated that I am the complainant in the above said FIR. I have compromised the matter with all the accused. The compromise is voluntarily with free consent. There are total five accused in this case. The names of accused are Harpreet Singh, Gurmeet Singh, Mehal Singh, Sukhjinder Singh and Kulbir Singh. No accused is declared proclaimed offender. I have no objection if the present FIR is quashed against all the accused.”

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.259 dated 30.11.2017 under Sections 323, 354, 506, 427, 148, 149 IPC, registered at Police Station Zira, District Ferozepur (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 20.07.2018 (Annexure P-2).

February 01, 2019

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(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No