

287.

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

CRM-M-18550-2019

Date of decision: 07.08.2019

NAHAR SINGH AND ORS

... Petitioners

versus

STATE OF PUNJAB AND ANOTHER

.... 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.25 dated 06.02.2018 registered under Sections 452, 354-B, 148, 149 of IPC at Police Station Chamkaur Sahib, District Rupnagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.02.2019 (Annexure P-2).

This Court vide order dated 25.04.2019 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 01.07.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Akwinder Kaur but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 21.05.2019. The same is reproduced as under:-

“Stated that above FIR was registered on my statement against accused Nahar Singh son of Karnail Singh, Avtar Singh son of Karnail Singh, Mehar Deen son of Gurnam Singh and Avtar Singh son of Karamjit Singh. In present case, compromise has been effected with my free consent and without any pressure. 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 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 F.I.R. No.25 dated 06.02.2018 registered under Sections 452, 354-B, 148, 149 of IPC at Police Station Chamkaur Sahib, District Rupnagar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 27.02.2019 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

07.08.2019
sanjeev