

292.

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

CRM-M-18746-2019

Date of decision:13.08.2019

SATNAM SINGH AND OTHERS

... Petitioners

versus

STATE OF PUNJAB AND OTHERS

.... 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.0136 dated 02.08.2018 registered under Sections 452, 324, 354-B, 148, 149 of IPC (Section 326 IPC added lateron) at Police Station Chatiwind, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/ affidavit dated 17.10.2018 (Annexures P-2 and P-3).

This Court vide order dated 26.04.2019 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 Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.08.2019 to the

effect that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Jaswant Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 23.05.2019. The same is reproduced as under:-

“Stated that on my statement one criminal case in the shape of FIR no.136 dt. 2-8-2018 was registered at PS Chatiwind under section 452/324/354B/148/149/326 IPC against Satnam Singh, Jasbir Singh, Baljit Singh, Manjit Kaur, all the accused persons present in the court today. However, now with the intervention of respectables, the matter has been compromised in an amicable way and we have decided to bury our hatchets and ill feelings once and for all and live a life of peace and harmony in the future. Accordingly, I have no objection if the present FIR registered against all the accused persons is quashed and all the accused persons are discharged accordingly. I have entered into compromise with the accused persons out of my free will and without any sought of misrepresentation, threat, coercion or duress. I have suffered my statement today in the court out of my free will and without any sought of threat to me or any of my family member in a sound disposing mind. I undertake to remain bound my statement.”

Apart from above, a similar statement has been made by respondent No.3, namely, Sandeep Kaur, whereby she has shown no objection to the FIR being quashed.

In view of the above, no useful purpose would be served to

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.0136 dated 02.08.2018 registered under Sections 452, 324, 354-B, 148, 149 of IPC (Section 326 IPC added lateron) at Police Station Chatiwind, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 17.10.2018 (Annexures P-2 and P-3), however, that would be subject to payment of costs of Rs.10,000/- to be deposited with the All India Pingalwara Charitable Society (Regd.), Amritsar, within one month from today.

The petitioners shall produce a receipt of deposit of aforesaid amount of Rs.10,000/-, in the Registry, failing which, the present petition shall deem to have been dismissed.

(HARI PAL VERMA)
JUDGE

13.08.2019
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No