

275.

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

CRM-M-41968-2018

Date of decision: 30.07.2019

KARMANPREET SINGH CHANDHOK AND OTHERS ... Petitioners

versus

STATE OF PUNJAB AND ANOTHER Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

■■■■

Present: None.

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HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.93 dated 18.08.2018 registered under Sections 377, 385, 506 of IPC at Police Station Division No.4, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.09.2018 (Annexure P-2).

This Court vide order dated 16.01.2019 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 Chief Judicial Magistrate, Patiala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.03.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without coercion or undue

SANJEEV KUMAR
2019.07.30 15:55 influence.
I attest to the accuracy and
integrity of this document

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Amanpreet Kaur but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 25.02.2018. The same is reproduced as under:-

“Stated that I have got the matter compromised with the accused Karmanpret Singh Chandhok, Harvinder Pal Singh Chandhok and Harinder Kaur, All R/o # 1-H, Malwa Enclave, Sttreeet No.4, Sular Road, Patiala with the intervention of respectable persons and common friends in respect of FIR No.93 dated 18.8.2018, under Sections 377/385/506 IPC, P.S. Division no.4, Patiala voluntarily, without any coercion, threat or undue influence. No other criminal proceedings are pending between the parties, except the present FIR. I have no objection, if the above said FIR be quashed as compromised as we do not want to proceed further with the present case. I have seen the photocopy of compromise dated 12.9.2018 and the same is Ex.C1 and the contents of the same are admitted to be correct and as per the said compromise I have already made the statement before the Hon'ble Court u/s 13-B of HMA on 17.9.2018 and the same is pending for 21.3.2019 for making second motion statement. ”

Virtually the dispute is between petitioner No.1-husband and respondent No.2-wife (complainant).

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.93 dated 18.08.2018 registered under Sections 377, 385, 506 of IPC at Police Station Division No.4, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 12.09.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

30.07.2019
sanjeev

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