

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

301

CRM-M-20640-2019

Date of Decision:20.08.2019

Gurjeet Singh @ Harjeet Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

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

Present: Mr. Kuldip Singh, Advocate,
for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

None 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.01 dated 17.01.2017 under Sections 354, 354(B), 452, 506 IPC, registered at Police Station Women, Kaithal (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of affidavit dated 18.03.2019 (Annexure P-2).

This Court vide order dated 06.05.2019 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, Kaithal and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 30.05.2019 to the effect that the compromise effected between the parties is voluntarily, without any pressure and fear. The statements made by them are genuine and valid.

Though no one is present on behalf of respondent No.2-complainant-Diljeet Kaur in Court today, but no prejudice would be caused to her as she has already made a statement with regard to compromise before learned Magistrate on 30.05.2019 to the effect that they have compromised the matter without any fear, undue influence or coercion and she has no objection if the FIR in question registered against the petitioner-accused is quashed.

Learned State counsel has 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.01 dated 17.01.2017 under Sections 354, 354(B), 452, 506 IPC, registered at Police Station Women, Kaithal (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of affidavit dated 18.03.2019 (Annexure P-2), subject to payment of costs of ₹5,000/- to be paid by the petitioner, within a period of one month from today with the

Pandit Bhagwat Dayal Sharma Post Graduate Institute of Medical

Sciences, Rohtak and the said amount would be utilized for the treatment of poor patients within the knowledge of its Director. The petitioner shall produce a receipt with the Registry.

August 20, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No