

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

354

CRM-M-22012-2019

Date of Decision:26.08.2019

Kamni

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

**Present: Mr. Surmeet S. Sandhu, Advocate,
for the petitioner.**

**Mr. Sukhbeer Singh, AAG, Punjab,
for respondent No.1.**

**Mr. Ullas Mahajan, 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.06 dated 11.01.2019 under Section 363 IPC, registered at Police Station City GRP Jalandhar, District Jalandhar (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 19.04.2019 (Annexure P-2).

This Court vide order dated 14.05.2019 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 Chief Judicial Magistrate, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 08.08.2019 to the effect that the parties have compromised the matter voluntarily without any fear, threat or coercion from any side.

Respondent No.2-complainant, namely, Neelvati, has made a statement with regard to compromise before learned Magistrate on 10.07.2019. The same is reproduced as under:-

“Stated that I have compromised the matter with accused namely, Kamini, present in the court today as per compromise deed dated 19.04.2019, Annexure-1 voluntarily, out of my free will without any threat, fear or coercion from any side, with the intervention of respectables. I have no objection if the present FIR registered against accused Kamini may kindly be quashed.”

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.06 dated 11.01.2019 under Section 363 IPC, registered at Police Station City GRP Jalandhar, District Jalandhar (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 19.04.2019 (Annexure P-2).

August 26, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No