

292.

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

CRM-M-23318-2019

Date of decision: 19.08.2019

PUNEET PARTAP SINGH AND ANOTHER

... Petitioners

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

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

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 F.I.R. No.69 dated 30.05.2018 registered under Sections 323/354-A/451/506/34 of IPC at Police Station Haibowal, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/settlement dated 03.01.2019 (Annexure P-2).

This Court vide order dated 21.05.2019 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, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 15.07.2019 to the effect that the compromise is genuine and has been effected between the parties without any pressure or coercion in any manner.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Shehnaz Khatoon but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 03.07.2019. The same is reproduced as under:-

“Stated that I have registered a FIR no.69 dated 30.05.2018, U/s 323, 354-A, 451, 506, 34 of IPC, P.S. Haibowal against the accused Puneet Partap Singh, Bunty @ Vineet Partap Singh. Now with the intervention of respectable members we have entered into compromised the matter and I am giving statement without any pressure or coercion and I have no objection if the present FIR be 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 F.I.R. No.69 dated 30.05.2018 registered under Sections 323/354-A/451/506/34 of IPC at Police Station Haibowal, District Ludhiana (Annexure P-1) and all subsequent proceedings

compromise/settlement dated 03.01.2019 (Annexure P-2), however, that would be subject to payment of costs of Rs.5,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within one month from today.

(HARI PAL VERMA)
JUDGE

19.08.2019
sanjeev

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