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

CRM-M-51222-2018

Date of decision:11.03.2019

RANJIT SINGH AND ORS

... Petitioners

versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Bikramjit Aroura, Advocate,
for the petitioners.

Mr. Jagmohan Ghumman, DAG, Punjab,
for respondent No.1.

Mr. Narinder Singh Dadwal, Advocate,
for respondents No.2 to 4.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.119 dated 03.10.2017 registered under Sections 324/323/452/295/354/509/506/148/149 of IPC (Section 326 IPC added lateron) at Police Station Sarhali, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.10.2018 (Annexure P-2).

This Court vide order dated 21.11.2018 had directed the parties to appear before the trial Court/Illaq Magistrate on 30.11.2018 to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise. However, on 30.11.2018, the parties could not appear before the learned Magistrate and again vide order

dated 15.01.2019, another opportunity was granted to the parties and they were directed to appear before the trial Court/Illaqa Magistrate on 11.02.2019 or any date convenient to the court to get their statements recorded in support of compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Tarn Taran and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.03.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Gurmeet Singh as well as respondents No.3 and 4, namely, Rajwant Kaur and Balwinder Kaur respectively have made a joint statement with regard to compromise before learned Magistrate on 11.02.2019. The same is reproduced as under:-

“Stated that Gurmeet Singh had got registered one FIR bearing no.119 dated 03.10.2017, u/s 324/ 323/ 452/ 295/ 326/ 354/ 506/509/148/149 IPC in the police station Sarhali, Distt- Tarn Taran. Now, Gurmeet Singh complainant and injured Rajwant Kaur and Balwinder Kaur have settled compromise with all accused persons namely Ranjit Singh son of Sarwan Singh, Hardev Singh alias Rambo son of Makhan Singh, Teerath Singh alias Happy son of Sucha Ram, Amarjit Singh son of Kashmir Singh, all residents of Village Sheron, Tehsil and District Tarn Taran, Police Station-Sarhali with the intervention of the respectable from the locality. We have also resolved all the disputes with the all accused persons. We have compromised the matter with the accused persons voluntarily without any pressure, coercion or undue influence which is Ex.PX and which bears our signature and thumb impression as well as signature of petitioners/accused and signature/thumb

impression of respectable of the locality. We do not have any objection if the present FIR is quashed by Hon'ble Pb & Haryana High Court, Chandigarh, on the basis of said compromise arrived between us and accused persons. That all petitioners/accused are present today except petitioner/accused Hardev Singh alias Rambo, son of Makhan Singh, R/o Village Sheron, Tehsil and District Tarn Taran who is confined in Central Jail Faridkot in some other case bearing FIR No.29/2018, Under Section 21/29/61/85 NDPS Act, registered with Police Station Special Operation Cell, Amritsar. That no any accused in present case is declared proclaimed offender. This compromise has been done by us voluntarily, without any coercion and undue influence. That as per CRM-1114-2019 CRM-M-51222-2018 order dated 21.11.2018 and 15.01.2019 we have deposited Rs.5,000/- for the Poor Patients Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh and made the compliance of the Hon'ble High Court. Copy of receipt of the same is attached herewith which is Ex.PY.”

Learned State counsel as well as learned counsel for respondents No.2 to 4 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 F.I.R. No.119 dated 03.10.2017

(Section 326 IPC added lateron) at Police Station Sarhali, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 23.10.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

11.03.2019
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No