

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

292

CRM-M-24107-2019

Date of Decision:20.09.2019

Harpreet Singh @ Honey

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Mandeep Kumar Dhot, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

None for respondent Nos.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.235 dated 02.10.2016 under Section 365 IPC, registered at Police Station Sohana, District SAS Nagar (Mohali) (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of the compromise dated 10.05.2019(Annexure P-4).

This Court vide order dated 27.05.2019 had directed the parties to appear before the trial Court/Illaq Magistrate 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 Additional Chief Judicial Magistrate, SAS Nagar, Mohali and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.07.2019 to the effect that the compromise appears to be authentic and genuine.

Though no one is present on behalf of respondent No.2-complainant-Hartej Singh as well as respondent No.3-victim Kamalpreet Kaur in Court today, but no prejudice would be caused to them as they have already made a joint statement with regard to compromise before the learned Magistrate on 22.07.2019. The same is reproduced as under:-

“Stated that the matter has been compromised on 10.05.2019 between us and accused Harpreet Singh @ Honey S/o Dilshad Singh. The compromise is genuine, without any pressure or undue influence. We have brought our Aadhar Cards towards our identity. Photocopy of the same is Annexure C-1 and Annexure C-2.

There is no any other affected party/aggrieved person other than us.”

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.

Thus, 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***, as 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.235 dated 02.10.2016 under Section 365 IPC, registered at Police Station Sohana, District SAS Nagar (Mohali) (Annexure P-1) and all the consequential

proceedings arising therefrom are hereby quashed qua the petitioner on the basis of the compromise dated 10.05.2019(Annexure P-4).

September 20, 2019
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(HARI PAL VERMA)
JUDGE

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