

292.

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

CRM-M-53734-2018

Date of decision:01.05.2019

DHARAMJIT SINGH

... Petitioner

versus

STATE OF PUNJAB & ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, 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.28 dated 05.02.2014 registered under Sections 354, 506, 509 of IPC at Police Station Rama Mandi, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.11.2018 (Annexure P-2).

This Court vide order dated 23.01.2019 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, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 05.03.2019 to the effect that the compromise is genuine and has been effected between the parties without any pressure or coercion.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Pankaj but no prejudice would be caused to her as she has already made her statement with regard to compromise before learned Magistrate on 28.02.2019. The same is reproduced as under:-

“I have arrived at a compromise in this matter with the accused namely Dharamjit Singh, son of Lachman Singh, Resident of H.No.31/2, Kamal Vihar, New Bashirpura, Jalandhar with the intervention of the respectables of the locality. The matter has been amicably sorted out between me and the accused. I have no grudge left with the accused. The compromise which has been arrived at is voluntary, without any pressure, coercion and undue influence exerted from the side of the accused. I do not want to proceed with the present case and I have no objection if the present case/FIR is quashed against the accused. The copy of my Aadhar Card is Ex.C1 & copy of compromise deed Ex.C2 respectively, which bears my signature.”

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.28 dated 05.02.2014 registered under Sections 354, 506, 509 of IPC at Police Station Rama Mandi, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 27.11.2018 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/- 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

01.05.2019
sanjeev

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