

292.

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

CRM-M-25413-2019

Date of decision: 21.08.2019

BALBIR SINGH AND ANR

... Petitioners

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Mahipal S. Yadav, Advocate,
for the petitioners.

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

Ms. Neelam Garg, Advocate, for
Mr. Sunny K.Singla, 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 F.I.R. No.70 dated 27.08.2015 registered under Sections 323, 341, 342, 294, 354-A, 506, 34 of IPC at Police Station Naya Gaon, District SAS Nagar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.05.2019 (Annexure P-2).

This Court vide order dated 31.05.2019 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

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 22.07.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily and with their free will.

Respondent No.2-complainant, namely, Sukhjit Kaur has made her statement with regard to compromise before learned Magistrate on 04.07.2019. The same is reproduced as under:-

“Stated that I have compromised the matter with the accused. Copy of compromise is Ex.C1. I identify my signatures on this compromise. This compromise has been executed with my own accord and free will and without any undue influence or pressure from any quarter. So the present FIR may kindly be ordered to be quashed.”

Counsel for the petitioners states that petitioner No.1 is the husband of respondent No.2-complainant, namely, Sukhjit Kaur and they are staying together as husband and wife.

Learned State counsel as well as counsel appearing on behalf of 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 F.I.R. No.70 dated 27.08.2015

Police Station Naya Gaon, District SAS Nagar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 23.05.2019 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

21.08.2019
sanjeev

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