

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

CRM-M-27731 of 2019.

Decided on:- October 03, 2019.

Paramjit Singh and others

.....Petitioners.

Versus

The State of Punjab and another

.....Respondents.

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

Present:- Mr. J.S. Jaidka, Advocate
for the petitioners.

Mr. Sukhbeer Singh, A.A.G., Punjab.

Mr. Rahul Rana, 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 FIR No.36 dated 14.06.2019 under Sections 452, 354, 427 and 506 read with Section 34 IPC registered at Police Station Jodhan, District Ludhiana (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise deed dated 20.06.2019 (Annexure P-1).

This Court vide order dated 03.07.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order, the petitioners and respondent No.2-complainant Manjit Kaur have appeared before learned Judicial Magistrate 1st Class, Ludhiana and got their statements recorded on 07.08.2019. On the basis of the statements so recorded by the parties, learned Magistrate has submitted the report dated 28.08.2019 to the effect that the compromise between the parties appears to be genuine, voluntarily and valid.

Learned State counsel and learned counsel for respondent No.2-complainant have not disputed the factum of compromise.

The FIR in question has been recorded on the basis of statement of respondent No.2-complainant Manjit Kaur. Her statement recorded by learned Magistrate on 07.08.2019 in support of the compromise reads as under:

“That an FIR No.36 dated 14.06.2019 was registered at PS Jodhan, Ludhiana against the accused Paramjit Singh, Daljeet Singh @ Banty and Gurdeep Singh. I am the complainant of the above said FIR. With the intervention of the respectable, i have compromised the matter with the accused voluntarily without any pressure or coercion or any threat. Accused has preferred quashing petition before the Hon’ble Punjab and Haryana High Court. The compromise is genuine. Copy of compromise dated 25.06.2019 the original of which is already filed before the Hon’ble Punjab and Haryana High Court and copy of which is Ex.C1. I have no objection if the case FIR and other consequential proceedings against the accused are quashed. Copy of my Aadhar Card is Ex.C2.”

In view of the above, continuation of the proceedings before the trial Court in the instant FIR qua the petitioners shall be an abuse of the process of law.

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* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, the present petition is allowed and the FIR No.36 dated 14.06.2019 under Sections 452, 354, 427 and 506 read with Section 34 IPC registered at Police Station Jodhan, District Ludhiana (Annexure P-2) and all consequential proceedings arising therefrom are quashed qua the petitioner on the basis of compromise deed dated 20.06.2019 (Annexure P-1).

October 03, 2019

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No