

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

CRR-2076-2019 (O&M)
Date of decision:13.11.2019

Jaggi Ram

.....Petitioner

Versus

State of Punjab & Another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Jagdeep Singh, Advocate
for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

CRM-28340-2019

Allowed as prayed for subject to all just exceptions.

CRM-31934-2019

In view of the reasons mentioned in the application, the same is allowed and amended memo of parties is taken on record subject to all just exceptions.

Main Case

1. The petitioner has approached this Court challenging judgment dated 3.7.2019 passed by the Court of learned Additional Sessions Judge,

Sangrur whereby an appeal filed by the petitioner against judgment dated 16.10.2018 passed by learned Additional Chief Judicial Magistrate, Sangrur convicting him for offences under Sections 452, 354-B & 323 IPC, has been dismissed.

2. The petitioner was tried by the Court of learned Additional Chief Judicial Magistrate, Sangrur and was found guilty for having committed offence punishable under Sections 452, 354-B and 323 IPC and sentenced as under:-

Offence	Sentence	Fine	In Default
Under Section 452 IPC	RI for two years	₹2,000/-	RI for 20 days
Under Section 354-B IPC	RI for three years	₹3,000/-	RI for 30 days
Under Section 323 IPC	RI for six months	₹1,000/-	RI for 15 days

3. The petitioner challenged the aforesaid judgment dated 16.10.2018 by way of filing an appeal before the Court of Additional Sessions Judge, Sangrur but the same was also dismissed vide judgment dated 3.7.2019 while clarifying that the sentences are to run concurrently. During the pendency of this revision petition, it was represented that the parties have resolved their issues and had entered into a compromise. Consequently, complainant Geeta Rani was impleaded as respondent and the parties were directed to appear before the trial Court and to get their statements recorded qua the factum of compromise. Pursuant to the aforesaid directions issued on 16.9.2019 parties appeared before the learned Additional Chief Judicial Magistrate, Sangrur and a report has been received accompanied by statements of the parties. The complainant

Geeta Rani has categorically stated that she has compromised the matter with the petitioner and has no objection for setting aside of the proceedings in respect of the FIR in question. The petitioner has also stated regarding his having effected compromise with the complainant. The learned Magistrate has opined that the compromise has been effected between the parties voluntarily without their being any pressure or undue influence.

4. Having regard to the aforestated position, where the parties are stated to have amicably resolved their issues and to enable the parties to live peacefully and in the light of ratio of judgment of Division Bench of this Court titled as Kharati Lal @ Kittu vs. State of Punjab and another, CRM-M-15408-2018 decided on 20.08.2018, this Court finds that it is a fit case for exercising inherent power under Section 482 Cr.P.C. for quashing FIR & consequential proceedings on the basis of compromise. The petition, as such is accepted and the FIR No.15 dated 29.1.2016 under Sections 452, 354-B, 323, 506 IPC, Police Station Bhawanigarh as well as all the consequential proceedings are hereby quashed qua the petitioner. The judgment passed by the learned learned Additional Chief Judicial Magistrate, Sangrur dated 16.10.2018 is hereby set aside and the petitioner is acquitted of all the charges framed against him.
5. The revision petition stands accepted in the above-mentioned terms.

(GURVINDER SINGH GILL)
JUDGE

13.11.2019
Gaurav Sorot

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