

265.

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

CRM-M-419-2019

Date of decision:11.03.2019

GURDEEP SINGH @ DEEP

... Petitioner

versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Lakhvir Kumar, Advocate, for
Mr. Nandan Jindal, Advocate, for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab, for respondent No.1.

Ms. Pooja Arora, Advocate, for
Mr. Amrinderjit Singh, 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.215 dated 08.12.2017 registered under Sections 354/506 of IPC at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 10.12.2018 (Annexure P-2).

This Court vide order dated 09.01.2019 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, Dhuri and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.02.2019 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without any pressure or coercion.

Respondent No.2-complainant, namely, Gurcharan Singh as well as respondent No.3, namely, Joginder Kaur have made a joint statement with regard to compromise before learned Magistrate on 31.01.2019. The same is reproduced as under:-

“Stated that above said FIR No.215 dt. 08.12.2017 u/s 354, 506 of IPC PS Sadar Dhuri, Distt. Sangrur was registered against the accused Gurdeep Singh @ Deep son of Karnail Singh son of Ishar Singh resident of Village Kumbharwal, Tehsil Dhuri, District Sangrur on the statement of my son namely Gurcharan Singh son of Late Sadhu Singh son of Late Sohan Singh. Now with the intervention of the respectables of the society, we have effected compromise with accused with our own free will and without any pressure or coercion or undue influence. We have seen the copy of the compromise brought by the accused today in the court over which we identify the thumb impressions of Joginder Kaur and accused Gurdeep Singh who appended their signatures/thumb impressions in the presence of the witnesses and the same is genuine and correct one. The said compromise is Ex.CX. This compromise has been effected between the parties in order to maintain peace and harmony. So, the present FIR may kindly be quashed on the basis of above stated compromise.”

Learned State counsel as well as learned counsel for 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

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.215 dated 08.12.2017 registered under Sections 354/506 of IPC at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 10.12.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

11.03.2019
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No