

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-25453-2020

Date of Decision:06.11.2020

Gurjot Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

**Present: Ms. Harpreet Kaur Rattan, Advocate,
for the petitioners.**

**Mr. N.K. Banka, D.A.G., Punjab,
for respondent No.1.**

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0108 dated 09.06.2020 under Sections 323, 324, 34 IPC, registered at Police Station Dugri, Ludhiana (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise-deed dated 30.06.2020 (Annexure P-2).

This Court vide order dated 12.10.2020 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 1st Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.10.2020 to the effect that the compromise appears to be genuine one having been arrived at between the parties with their free will and without any pressure or coercion.

Though no one is present on behalf of respondent No.2-complainant Harnitika Kaur in Court today, but no prejudice would be caused to her as she has already made a statement with regard to compromise before learned Magistrate on 28.10.2020. The same is reproduced as under:-

“I have compromised with accused persons namely Gurjot Singh son of Narinder Singh and Inderjit Kaur @ Seema wife of Narinder Singh both resident of house no.2139, Urban Estate Phase-I, Dugri, Ludhiana in the presence of respectable persons of both the parties. The compromise is voluntarily, without any inducement, threat, pressure or coercion. Now there is no grudge against the accused party. I do not want to take any action against the accused in the present case. I have got no objection, if the present FIR against the accused persons be quashed by the Hon'ble High Court of Punjab and Haryana at Chandigarh. The present compromise has taken place with the free consent and without any pressure. Present FIR is registered against Gurjot Singh and Inderjit Kaur @ Seema. No PO proceedings are pending against me or accused.”

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 FIR No.0108 dated 09.06.2020 under Sections 323, 324, 34 IPC, registered at Police Station Dugri, Ludhiana (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise-deed dated 30.06.2020 (Annexure P-2).

November 06, 2020
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No