

243.

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

CRM-M-26624-2020

Date of decision: 22.12.2020

PETER SINGH

... Petitioner

versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Shekhar Verma, Advocate,
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab,
for respondent No.1.

Ms. Parul Chadha, Advocate,
for respondents No.2 & 3.

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 F.I.R. No.0089 dated 25.06.2019 registered under Sections 354-D, 354-A (added lateron) of IPC and Section 67-A of Information Technology Act at Police Station City Gurdaspur, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 25.06.2020 (Annexure P-2).

This Court vide order dated 08.09.2020 had directed the parties to appear before the trial Court/Duty Magistrate to get their statements recorded and the learned trial Court/Duty Magistrate was directed to send its

report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.12.2020 to the effect that the compromise is genuine and has been effected between the parties without any coercion or undue influence.

Respondent No.2-complainant, namely, Mandeep Kaur has made her statement with regard to compromise before learned Magistrate on 07.12.2020. The same is reproduced as under:-

“Stated that FIR No. 89 dated 25.06.2019, under Sections 354-D, 354-A of Indian Penal Code and Section 67-A of Information Technology Act was registered at Police Station City Gurdaspur, District Gurdaspur (Punjab) against accused Peter Singh son of Sucha Singh resident of village Kele Khurd on my statement. Now with the intervention of respectables the matter has been compromised with accused Peter Singh. Therefore, I do not want to pursue the present case. I have no objection, if the present FIR is quashed by Hon’ble Punjab & Haryana High Court, Chandigarh, on the basis of compromise. I have suffered this statement voluntarily without any coercion or undue influence. I have brought my Aadhar Card and produce the photocopy of the same, which is Annexure C1.”

Apart from above, a similar statement has been made by respondent No.3, namely, Jobanjeet Kaur whereby she has shown no objection to the FIR being quashed.

Learned State counsel as well as learned counsel for respondents No.2 and 3 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.0089 dated 25.06.2019 registered under Sections 354-D, 354-A (added lateron) of IPC and Section 67-A of Information Technology Act at Police Station City Gurdaspur, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 25.06.2020 (Annexure P-2), however, that would be subject to payment of costs of Rs.5,000/- to be deposited by the petitioner with the High Court Bar Association in the Lawyers' Welfare Fund, within one month from today.

(HARI PAL VERMA)
JUDGE

22.12.2020
sanjeev

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