

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

275

CRM-M-41603-2019

Date of Decision:27.02.2020

Gurdeep Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

**Present: Mr. Abhay Kumar Sharma, Advocate,
for the petitioner.**

Mr. Hittan Nehra, Additional Advocate General, Punjab.

None for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.25 dated 23.04.2016 under Sections 354-A, 506 IPC, registered at Police Station Satnampura Phagwara (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 04.09.2019 (Annexure P-2).

This Court vide order dated 26.09.2019 had directed the parties to appear before the trial Court/Illaq Magistrate 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 Sub Divisional Judicial Magistrate, Phagwara and got their

statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 13.11.2019 to the effect that the compromise effected between the parties voluntarily, without any pressure, threat or coercion.

Though no one is present on behalf of respondent No.2-complainant-Harjit Singh in Court today, but no prejudice would be caused to him as he has already made a statement with regard to compromise before the learned SDJM, Phagwara on 22.10.2019. The same is reproduced as under:-

“State that FIR No.25 dated 23.04.2016 under sections 354-A/506 IPC, Police Station Satnampura, Phagwara registered upon my statement against accused Gurdeep Singh son of Bhajan Singh r/o Main Bazar Hadiabad Satnam pura Phagwara district Kapurthala.

I have reached compromise with the above named accused with my own free will, voluntary without any fear, threat or coercion or under influence. Copy of Compromise Mark A. I identify my signatures upon compromise Mark A. I produce copy of Aadhar Card as Mark B (Original seen and returned) to prove my identity. I have no objection if the case FIR against the above accused is quashed.”

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

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.

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, as 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.25 dated 23.04.2016 under Sections 354-A, 506 IPC, registered at Police Station Satnampura Phagwara (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise dated 04.09.2019(Annexure P-2).

February 27, 2020

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(HARI PAL VERMA)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No