

281.

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

CRM-M-42567-2019

Date of decision: 26.02.2020

GURJANT SINGH @ RODA

... Petitioner

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Mikhail Kad, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab,
for respondent No.1.

Mr. Neeraj Yadav, Advocate, for
Mr. Vishal Satija, 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.237 dated 08.09.2019 registered under Sections 354/451 of IPC at Police Station Lehra, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.09.2019 (Annexure P-2).

This Court vide order dated 03.10.2019 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, Moonak and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.12.2019 to the effect that the compromise appears to be genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

Respondent No.2-complainant, namely, Binder Kaur has made her statement with regard to compromise before learned Magistrate on 08.11.2019. The same is reproduced as under:-

“Stated that I am complainant in the above mentioned FIR. With the intervention of the respectable members of the society, I have entered into compromise with the accused namely Gurjant Singh @ Rodda son of Gurdev Singh resident of Village Rorewal, Tehsil Lehra, Distt. Sangrur. The compromise has been entered into with my free will without any pressure, coercion and undue influence from accused side. The compromise is genuine one and voluntarily. I have no objection if the FIR against the present accused is quashed.”

Learned State counsel as well as learned counsel appearing on behalf of 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 continue with the proceedings before the trial Court in the instant FIR.

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.237 dated 08.09.2019 registered under Sections 354/451 of IPC at Police Station Lehra, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 23.09.2019 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

26.02.2020
sanjeev

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