

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

**Criminal Misc. No.M-10755 of 2020
Date of Decision: 14.01.2021**

Manpinder Singh @ Pinder Singh and another

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

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

Present:- Mr. Impinder Singh Dhaliwal, Advocate
for the petitioners.

Mr. M.S. Nagra, AAG Punjab

Mr. B.S.Aulakh, Advocate for the 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.16 dated 09.02.2020 under Sections 354-A, 451, 506, 34 IPC registered at Police Station Sadar, Malout District Sri Muktsar Sahib and subsequent proceedings arising therefrom, on the basis of compromise dated 03.03.2020 (Annexure P-2).

This Court vide order 13.03.2020 had directed the parties to appear before the Illaqa Magistrate/Trial Court to get their statements

recorded with regard to compromise so arrived and learned Illaqa Magistrate/Trial Court was directed to submit its report regarding the genuineness of the compromise, however, the parties could not appear. Again vide order dated 7.12.2020 another opportunity was granted to the parties to get their statement recorded before the learned Magistrate.

Pursuant to the aforesaid order, the parties have appeared before Judicial Magistrate Ist Class, Malout and got their statements recorded. On the basis of statements so recorded, learned Magistrate has forwarded report dated 04.01.2021 to the effect that the compromise arrived at between the parties is genuine, voluntary and out of their free will. The statement made by the complainant-respondent No.2 Jagmeet Singh reads as under:-

“Stated that FIR No.16 dated 09.02.2020 u/s 354-A/451/506/34 IPC was registered against Manpinder Singh @ Pinder Singh son of Gurpreet Singh and Sukhdarshan Singh son of Gurdeep Singh, both residents of Rear Tower, village Tarkhanwala, Tehsil Malout, District Sri Muktsar Sahib, on my statement. Now the matter has been compromised with the intervention of the respectables amicably. The compromise has been effected voluntarily, without undue influence, any coercion, fraud or misrepresentation and with the free will of the parties. I have no objection if the FIR No.16 dated 09.02.2020 u/s 354-A/451/506/34 IPC and further proceedings, is quashed.”

Apart from above, a similar statement has also been made by victim Harpreet Kaur whereby she has shown no objection to the FIR being quashed.

Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise effected between the parties.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1252 (P&H), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)12 SCC 303, this petition is allowed and FIR No.16 dated 09.02.2020 under Sections 354-A, 451, 506, 34 IPC registered at Police Station Sadar, Malout District Sri Muktsar Sahib and subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 03.03.2020 (Annexure P-2).

January 14, 2021
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(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No`