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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No.28302 of 2020 (O&M)
CRM-M-32841-2019 (O&M)
Date of Decision: 25.01.2021

Bhupender Singh and others

....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA

Present: Mr. Ajaypal Rehan, Advocate for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Sandeep Godara, Advocate 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.

CRM No.28302 of 2020

Application is allowed.

The case is pre-poned and is taken up on today's board.

CRM-M-32841-2019

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.125 dated 19.11.2018 under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station Sadar Gurdaspur, District Gurdaspur (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 10.05.2019 (Annexure P-2).

This Court vide order dated 25.09.2019 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 Additional Chief Judicial Magistrate, Gurdaspur and got their statements recorded.

Report dated 17.10.2019 has been received from learned Additional Chief Judicial Magistrate wherein it is reflected that the complainant has got her statement recorded though the statement of the complainant is not otherwise accompanied with the report. As per the report, the compromise arrived at between the parties is genuine, voluntarily and without any coercion or undue influence, being outcome of their free will and consent.

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.125 dated 19.11.2018 under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station Sadar Gurdaspur, District Gurdaspur (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise dated 10.05.2019 (Annexure P-2).

25.01.2021
Meenu

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No