

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-39322-2020
Date of Decision:12.02.2021

Manjit Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Kunwar Rajan, Advocate, for the petitioners.

Mr. Ajay Pal Singh Gill, D.A.G., Punjab.

None for the respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.268 dated 10.10.2018 under Section 380 IPC, registered at Police Station City Kharar, District SAS Nagar (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of compromise deed dated 20.11.2020 (Annexure P-2).

This Court vide order dated 26.11.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court 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, Kharar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.01.2021 to the effect that the compromise has been effected between the parties voluntarily and without any threat or any undue influence.

Though today none has put in appearance on behalf of

respondent No.2-complainant, namely, Dharminder Kumar but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 11.01.2021. The same is reproduced as under:-

“Stated that I have compromised the matter in dispute with the accused namely Manjit Singh, Jagjist Singh Moti, Harinder Singh, Harbhajan Singh, out of my free Will without any coercion, inducement threat or pressure. I have registered the FIR no.268 dated 10.10.2018 U/s 380 IPC, P.S. City Kharar, against the above named accused, but as now, the compromise has been effected between us, so, I have no objection if the above said FIR and the consequential proceedings are quashed against the above named accused persons, in the interest of justice.”

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.

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.268 dated 10.10.2018 under Section 380 IPC, registered at Police Station City Kharar, District SAS Nagar (Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise deed dated 20.11.2020 (Annexure P-2).

February 12, 2021
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(HARI PAL VERMA)
JUDGE

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