

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

247

CRM-M-39685-2020

Date of Decision:23.02.2021

Pardeep Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Roopak Bansal, Advocate,
for the petitioner.

Mr. H.S. Multani, AAG, Punjab.

Mr. Jatin Khurana, 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 FIR No.241 dated 07.10.2019 under Sections 323, 324, 506, 326 IPC, registered at Police Station Division No.6, District Ludhiana (Annexure P-1) and all the consequential proceedings arising therefrom on the basis of the compromise-deed dated 09.11.2020 (Annexure P-2).

Learned counsel for the petitioner submits that the matter has been compromised and the parties have decided to live together.

This Court vide order dated 01.12.2020 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 Judicial Magistrate 1st Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.02.2021 to the effect that the compromise effected between the parties appears to be genuine, valid, voluntary and without any inducement, threat, coercion or undue pressure.

Respondent No.2-complainant, namely, Jeet Kaur, has made a statement with regard to compromise before learned Magistrate on 14.01.2021. The same is reproduced as under:-

“Stated that I am complainant of the present case and had got the present FIR registered against my husband i.e. accused Pardeep Kumar son of Varinder Kumar. Now, I have voluntarily entered into compromise with the accused Pardeep Kumar s/o Varinder Kumar out of my own free will and volition and without any inducement, threat, coercion and undue influence or pressure. I identify my signatures on original compromise deed dated 09.11.2020 and the same is Ex.CA. I have no objection if the present FIR registered against accused Pardeep Kumar s/o Varinder Kumar is quashed.”

Learned State counsel has not disputed the factum of compromise between the parties.

Learned counsel for the complainant-respondent No.2 submits that the matter has been compromised between the parties and they have decided to live together.

In view of the conceded position that the matter has been compromised between the parties, 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

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.241 dated 07.10.2019 under Sections 323, 324, 506, 326 IPC, registered at Police Station Division No.6, District Ludhiana(Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioner on the basis of compromise-deed dated 09.11.2020 (Annexure P-2).

February 23, 2021
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No