

225.

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

CRM-M-39670-2020

Date of decision: 16.03.2021

Sandeep Singh

... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Ms. Sanjeev Kumar Bawa, Advocate,
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab,
for respondent No.1.

Mr. M.K. Bhatnagar, 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.0054 dated 30.03.2020 under Sections 354 and 341 of IPC registered at Police Station Lopoke, Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 08.07.2020 (Annexure P-2).

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 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, Ajnala and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.12.2020 to the effect that the compromise is genuine and has been effected between the parties voluntarily, without any threat or coercion.

Respondent No.2-complainant, namely, Robinpreet Kaur has made her statement with regard to compromise before learned Magistrate on 03.12.2020. The same is reproduced as under:-

“Stated that FIR No.54 dated 30.03.2020 under Section 354, 341 IPC, Police Station Lopoke was got registered by me against accused Sandeep Singh son of Dalbir Singh, resident of Village Barrar, Tehsil Ajnala, Police Station Lopoke, District Amritsar. Now, with the intervention of respectable persons, I have compromised the matter with above said accused. The said compromise is genuine, without any pressure, threat or coercion. I do not want to proceed with the present case and have no objection if FIR in question is quashed by Hon'ble High Court. Except the aforesaid person, no other person is named as accused in the present case nor any accused has been declared as proclaimed offender. As proof of my identity, I produce photocopy of Adhar Card which is Ex.C1.”

Learned State counsel as well as learned counsel for 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 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 F.I.R. No.0054 dated 30.03.2020 under Sections 354 and 341 of IPC registered at Police Station Lopoke, Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 08.07.2020 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

16.03.2021
sanjeev

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