
(2019) 02 P&H CK 0013

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 39358 Of 2018

Jugraj Singh And Others

APPELLANT

Vs

State Of Punjab And Another

RESPONDENT

Date of Decision : 04-02-2019

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 380, 454

Citation : (2019) 02 P&H CK 0013

Hon'ble Judges : Daya Chaudhary, J

Bench : Single Bench

Advocate : O.P. Kamboj, Samina Dhir, Bandana Dogra, G.S. Thind

Final Decision : Allowed

Judgement

Daya Chaudhary, J

Petitioners, namely, Jugraj Singh, Manjeet Kaur wife of Major Singh and Manjeet Kaur wife of Sukhmander Singh, have approached this Court by way of filling the present petition under Section 482 Cr.P.C. for quashing of FIR No.52 dated 14.08.2018 registered under Sections 454 and 380 IPC at Police Station Sadiq, District Faridkot and other subsequent proceedings arising thereof on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners submits that during pendency of the investigation, a compromise has been arrived at between the parties and complainant has no objection in quashing of the FIR and other proceedings arising therefrom. The statements of the parties have also been recorded under the directions issued by this Court vide order dated 10.09.2018. The compromise arrived at between the parties is without any pressure or coercion from either side.

Learned counsel for respondent No.2 has also affirmed the submissions made by learned counsel for the petitioners with regard to compromise as well as

recording of statements of the parties. Learned counsel also submits that respondent No.2 has no objection in quashing of the FIR and other proceedings arising therefrom.

Heard arguments of learned counsel for the parties and have also perused the documents available on the file.

Vide order dated 10.09.2018, the parties were directed to appear before the Illaqa/Duty Magistrate, on 22.10.2018 or any other date convenient to the concerned authority for getting their statements recorded with regard to compromise arrived at between the parties. It was also directed that the statements of the parties so recorded along with report be sent to this Court after verifying the facts about the genuineness and voluntary nature of the compromise.

In pursuance of said directions, a report has been sent by Judicial Magistrate Ist Class, Faridkot, which is on record wherein factum of compromise has been affirmed. It has also been mentioned that the compromise arrived at between the parties is genuine, voluntarily and without any pressure, undue influence and coercion.

Complainant-respondent No.2-Mulakh Raj has specifically stated in his statement that the matter has been compromised with the accused persons and he has no objection in quashing of the FIR and other proceedings.

Since a compromise has been arrived at between the parties and the same has been affirmed by the complainant as he has specifically stated in his statement that he has no objection in quashing of the FIR and other proceedings, no purpose would be served in case proceedings are continued in future as it would amount to wastage of precious time of the Court. Moreover, the compromise arrived at between the parties is genuine, voluntarily effected with free consent and without any pressure, threat or coercion from either side.

Accordingly, the present petition is allowed and the impugned criminal proceedings arising out of FIR No.52 dated 14.08.2018 registered under Sections 454 and 380 IPC at Police Station Sadiq, District Faridkot as well as all subsequent proceedings arising therefrom qua petitioners, namely, Jugraj Singh, Manjeet Kaur wife of Major Singh and Manjeet Kaur wife of Sukhmander Singh, are hereby quashed.