

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

**Criminal Misc. No.M-22840 of 2014
Date of Decision: December 24, 2014**

Paramjit Singh & Anr.

...Petitioners

Versus

State of Punjab & Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.J.S.Santwal, Advocate,
for the petitioners.

Mr.Mikhail Kad, AAG, Punjab.

Mr.Rajesh Dhiman, Advocate,
for respondent No.3.

Naresh Kumar Sanghi, J.

This is a petition for quashing of FIR No.10 dated 23.01.2009, under Sections 323, 452 and 506 read with Section 34, IPC, registered at Police Station, Chamkaur Sahib, District Ropar, and all the subsequent proceedings arising therefrom, on the basis of compromise.

Vide order dated 23.09.2014, this Court had directed the affected parties to appear before learned trial court for getting their respective statements recorded with regard to the compromise. The said Court was also directed to send its detailed report in that regard along with copies of the

statements to this Court on or before the date fixed by this Court.

In compliance thereof, respondent No.3/complainant, Sajjan Singh as well as the petitioners did appear before the learned court below and got recorded their respective statements with regard to the compromise.

The operating part of the report received from learned trial court is as under:-

“It is further submitted that there are two accused, namely, Paramjit Singh and Jaswant Singh in the instant FIR. Both the accused have made statement before this Court and none of them is absconding. The complainant/injured of this case is Sajjan Singh who has also appeared and suffered statement before the court in favour of accused in support of the compromise effected between them. The present case bearing P.C.No.18 of 17.3.2009 is pending for evidence of the prosecution. In light of the statement of the parties, this court is of the opinion that the compromise in question is a genuine, voluntary and out of free will of the parties. Hence this report. Photocopies of the statements and compromise are enclosed herewith for kind perusal.”

Learned counsel for respondent No.2/complainant submits that on account of establishing of a gym in the village, a

quarrel had taken place in which Sajjan Singh had received simple injuries. Due to intervention of respectable and elderly people of the society, respondent No.3-complainant/injured has resolved his all disputes with the petitioners and effected a compromise. Respondent No.3 had appeared before the court below and got recorded his statement with regard to the compromise with the petitioners. He further submits that he has instructions to state at bar before this Court that respondent No.3/complainant has no objection if the impugned FIR and the consequential proceedings are quashed on the basis of compromise.

Learned counsel for the State, on instructions from HC Mohan Singh, Police Station, Chamkaur Sahib, has also admitted the execution of the compromise. He too has no objection if the impugned FIR and the consequential proceedings are quashed.

After hearing the learned counsel for the parties and going through the contents of the report received from learned court below as well as taking into consideration the ratio of the judgment delivered by Hon'ble the Supreme Court in the matter of **Gian Singh vs. State of Punjab & Anr., 2012(4) RCR(Criminal) 543**, the present petition is allowed and FIR No.10 dated 23.01.2009, under Sections 323, 452 and 506 read

with Section 34, IPC, registered at Police Station, Chamkaur Sahib, District Ropar, and all the consequential proceedings arising therefrom are hereby quashed.

December 24, 2014
seema

(Naresh Kumar Sanghi)
Judge