

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13599-2015 (O&M)
Date of Decision: 01.09.2015

Aman Sharma & others

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

- 1. *Whether Reporters of the local papers may be allowed to see the judgment?***
- 2. *To be referred to the Reporters or not?***
- 3. *Whether the judgment should be reported in the digest?***

Present: Mr. Sumit Dua, Advocate
for the petitioners.

Mr. Gurveer Sidhu, AAG, Punjab
for the State.

Mr. Prashant Bansal, Advocate
for respondent No.2.

R.P. Nagrath, J. (Oral)

The instant petition has been filed for quashing FIR No.268 dated 07.12.2010 under Sections 323, 324, 148, 149 (Sections 326 and 34 IPC added later on) and (Sections 148, 149 IPC deleted later on), Police Station City Rajpura, District Patiala and the subsequent proceedings on the basis of written compromise arrived at between the parties.

Report from the trial Court has been received after

recording statements of parties, alongwith photocopies of statements. It is reported that compromise is voluntary and without any coercion or undue influence.

Learned trial Court has also sent copy of the compromise Mark 'A' original of which is stated to have been produced before the trial Court for recording statements on the compromise in FIR No.102 dated 18.04.2011 for offences under Sections 452, 323, 427, 506, 148, 149 IPC, Police Station City Rajpura, District Patiala.

Learned State counsel on instructions from ASI Surjit Singh submits that petitioners are the only accused in this FIR, which was recorded by respondent No.2 who is the only injured.

No useful purpose would be served in continuing the proceedings in this case in view of the compromise arrived at between them.

Following the principles laid down by the Full Bench judgement of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)** and approved by the Hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.268 dated 07.12.2010 under Sections 323, 324, 148, 149 (Sections 326 and 34 IPC added later on) and (Sections 148, 149 IPC deleted later on), Police Station City Rajpura, District Patiala and the subsequent proceedings conducted on the basis thereof, are quashed.

Needless to say that parties shall remain bound by the

terms of compromise and their statements.

(R.P. Nagrath)
Judge

01.09.2015
sk