

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-16234-2014

Date of decision: 18.3.2015

Garib Dass and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

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

PRESENT: Mr. Ashwani Gaur, Advocate for the petitioners.

Mr. Gurveer Sidhu, AAG, Punjab.

Mr. Sandeep Kotla, Advocate for respondent No. 2.

R.P. NAGRATH, J. (ORAL)

Prayer in the instant petition filed under Section 482 Cr.P.C. is for quashing of FIR No. 53 dated 27.3.2006 (Annexure P-1) registered under Sections 448/427/457/380 of the Indian Penal Code (IPC) at Police Station Sahnewal, Ludhiana and all the consequential proceedings arising therefrom, on the basis of compromise dated 25.03.2014 (Annexures P-2).

Report from the trial Court has been received after recording statements of parties on the compromise. Trial Court has also sent the copies of statement of respondent No. 2-Kamalpreet Singh (complainant) and joint statement of all the four petitioners.

The trial Court has reported that the compromise reached

between the parties is voluntary and without any coercion.

On instructions from HC Navtej Singh, learned State counsel submits that FIR was registered on the statement of respondent No. 2- Kamalpreet Singh and he is the only aggrieved person and petitioners are the only accused persons as per the FIR.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Following the principles laid down by the Full Bench judgment 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. 53 dated 27.3.2006 (Annexure P-1) registered under Sections 448/427/457/380 of the Indian Penal Code (IPC) at Police Station Sahnewal, Ludhiana and all the consequential proceedings arising therefrom are quashed on the basis of compromise dated 25.03.2014 (Annexures P-2).

March 18, 2015

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**(R.P. NAGRATH)
JUDGE**