

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

CRM-M-29407-2014 (O&M)

Date of Decision: January 06, 2015

Saroop Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Amit Saini, Advocate
for the petitioners.

Mr.Mikhail Kad, AAG, Punjab.

Mr.G.S.Nahel, Advocate
for respondent No.2.

.....

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition, filed under Section 482, Cr.P.C.,
is for quashing of FIR No.202, dated 25.10.2009, for the offences
punishable under Sections 148, 201, 323, 324 and 452 read with
Section 149, IPC, registered at Police Station, Samrala, Police
District Khanna, District Ludhiana, and all the consequential
proceedings arising therefrom, on the basis of compromise.

Vide order, dated 18.11.2014, the affected parties
were directed to appear before the 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 along with copies of the statements to this Court.

In compliance of the above, the affected parties did appear before the Court below and suffered their respective statements with regard to compromise.

Respondent No.2-complainant-injured Jeewan Singh suffered the following statement:-

“Stated that I have compromised the matter in dispute with the accused persons amicably outside the Court with the intervention of Gram Panchayat. The matter has been compromised without any kind of undue influence and without any kind of consideration by me with my sweet will.”

The petitioners also suffered the similar statement.

The operative part of the report received from the learned Sub Divisional Judicial Magistrate, Samrala, is as under:-

“From the statements of parties, it appears that the compromise arrived between the parties is genuine and volunteered. However, no copy of any compromise in writing has been placed on record. Report is submitted to your goodself for its onward transmission to Hon'ble High Court.”

Learned counsel for respondent No.2-complainant

submits that due to intervention of the respectable and elderly people of the society, respondent No.2-complainant Jeewan Singh has resolved all his disputes and effected a compromise with the petitioners. He further submits that respondent No.2-Jeewan Singh has no objection if the impugned FIR and consequential proceedings emanating therefrom are quashed on the basis of compromise.

Learned counsel for the State, on instructions from HC Jagtar Singh of Police Station, Samrala, Police District Khanna, also admits the execution of compromise between the private parties and has no objection if the impugned FIR and consequential proceedings arising therefrom are quashed in view of the statements suffered by the affected parties before the Court below.

After hearing the learned counsel for the parties and going through the material available on record, this Court is of the view that respondent No.2-complainant-Jeewan Singh has resolved his all disputes with the petitioners and effected a compromise. He has also suffered the statement before the learned trial Court in that regard. The report received from the said Court also reveals regarding the execution of the

compromise between the parties.

Keeping in view the totality of the facts and circumstances of the case, the nature of offences alleged to have been committed by the petitioners and relying upon the judgment delivered by Hon'ble the Supreme Court in the matter of **Gian Singh v. State of Punjab and another**, 2012 (4) R.C.R. (Criminal) 543, the present petition is allowed. FIR No.202, dated 25.10.2009, for the offences punishable under Sections 148, 201, 323, 324 and 452 read with Section 149, IPC, registered at Police Station, Samrala, Police District Khanna, District Ludhiana, and all the consequential proceedings arising therefrom are hereby quashed.

January 06, 2015
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(NARESH KUMAR SANGHI)
JUDGE