

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-43843 of 2014

Date of Decision : 18.05.2015

Baldev Singh @ Billa and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. G.S. Simble, Advocate
for the petitioners.

Mr. Gurveer Sidhu, AAG, Punjab.

Mr. S.S. Tiwana, Advocate
for Mr. P.S. Brar, Advocate
for respondents no. 2 and 3.

R.P. NAGRATH, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 14 dated 11.01.2014 for offences under Sections 326, 324, 323, 148 and 149 of Indian Penal Code (IPC), registered at Police Station Civil Line, Batala, District Gurdaspur and all other consequential proceedings, on the basis of compromise dated 07.02.2014.

This is a case arising out of the version and cross-version in which the opposite party also suffered injuries. The incident took place on 08.01.2014.

Learned State counsel on instructions from HC Gurdial Singh submits that petitioners are the only accused and respondents no. 2 and 3 are the only aggrieved persons and respondent no. 2 recorded the FIR.

The report from the trial Court has been received after recording statements of respondents no. 2 and 3 and the petitioners and it is reported that the compromise reached between the parties is genuine, voluntary and without any undue influence, coercion and threat. The trial Court has also sent copies of the statements made by the parties.

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. 14 dated 11.01.2014 for offences under Sections 326, 324, 323, 148 and 149 IPC, registered at Police Station Civil Line, Batala, District Gurdaspur and subsequent proceedings are quashed.

Needless to say that the parties shall remain bound by the terms and conditions of the compromise and the statements made by them.

May 18, 2015
jk

(R.P. NAGRATH)
JUDGE