

283.

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

CRM-M-11375-2016

Date of decision:27.09.2016

Sukhdev Singh and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Maninder Singh Bajwa, Advocate,
for the petitioners.

Mr. P.S. Madahar, AAG, Punjab.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.91 dated 07.09.2013 under Sections 326, 323, 148, 149 IPC registered at Police Station Tarsikka, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.03.2015 (Annexure P-2).

This Court vide order dated 27.05.2016 had directed the parties to appear before the trial Court and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated

parties voluntarily, out of their free will and without any pressure or coercion and the same appears to be genuine one.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Narinder Singh, but no prejudice would be caused to him as he has already made his statement with regard to the compromise before learned Magistrate on 10.06.2016. The same is being reproduced as under:-

“The present case has been registered on my statement against five accused persons namely Sukhdev Singh son of Charan Singh, Sandeep Singh son of Charan Singh, Labbi Lovepreet Singh son of Gurdeep Singh, Raj son of Gian Singh and Akashdeep Singh son of Kulwant Singh all residents of village Muchhal, Tehsil Baba Bakala Sahib, District Amritsar. Now the matter has been compromised with the all the above said accused persons with the intervention of respectable persons of the village. I have no objection if the FIR No.91 of 2013 and subsequent proceedings arising out of said FIR registered at Police Station Tarsikka are quashed by the Hon'ble High Court. I do not want to take further action against the accused persons. I have made this statement out of mine own sweet will, without any threat or pressure. Compromise with all accused persons have been effected out of mine own sweet Will and without any kind of pressure from any one.”

The learned State counsel has not disputed the factum of compromise between the parties.

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

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and**

another 2007 (3) RCR (Criminal) 1052 and approved by the Hon'ble

Supreme Court in **Gian Singh Versus State of Punjab and others (2012)**
10 SCC 303, this petition is allowed and F.I.R. No.91 dated 07.09.2013
under Sections 326, 323, 148, 149 IPC registered at Police Station Tarsikka,
District Amritsar Rural (Annexure P-1) and all subsequent proceedings
arising therefrom are quashed qua the petitioners on the basis of
compromise dated 16.03.2015 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

27.09.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.