

282.

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

CRM-M-15467-2016

Date of decision:06.09.2016

Satnam Singh and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.V.K. Sandhir, 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.66, dated 12.07.2011 under Sections 323, 324, 336, 427, 506, 148, 149 IPC read with Section 25/27/54 of Arms Act, registered at Police Station Raja Sansi, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.10.2015 (Annexure P-2).

This Court vide order dated 06.05.2016 had directed the parties to appear before the Illaqa Magistrate/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, Ajnala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted the report dated 02.07.2016 to the effect that the

compromise has been effected between parties without any threat, coercion or undue influence and it seems to be genuine one.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Gurpreet 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 31.05.2016. The same is being reproduced as under:-

“Stated that I have compromised the matter with the accused as mentioned in the FIR No.66/12.07.2011 U/S 323/324/336/427/506/148/149 IPC and 25/27/54/59 Arms Act, P.S. Rajasansi namely Satnam Singh S/o Anokh Singh, Gurpreet Singh S/o Tarsem Singh, Tarsem Singh S/o Anokh Singh, Anokh Singh S/o Teja Singh, Jaspal Singh S/o Tarsem Singh out of my free will and consent and without any pressure, threat, coercion or undue influence. Darshan Singh S/o Teja Singh is also accused in the present case but he did not joined us for filing the quashing petition U/S 482 CrPC before Hon'ble Punjab and Haryana High Court at Chandigarh. Alongwith Darshan Singh S/o Teja Singh, in the aforesaid FIR above mentioned persons are the only accused persons, who are facing trial and none of them have been declared proclaimed offender and there is no criminal complaint/case is pending against the accused. My compromise is genuine and voluntary one and as such I have no objection if the Hon'ble Punjab and Haryana High Court quashes the above mentioned FIR. My compromise is Ex.P1. Photocopy of my I/Card is attached as Mark A.”

The learned State counsel has not disputed the factum of compromise between the parties, however, submits that a cancellation report was submitted by the Investigating Agency in the instant case but the same was not accepted by the learned Magistrate.

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**

Supreme Court in **Gian Singh Versus State of Punjab and others (2012)**
10 SCC 303, this petition is allowed and F.I.R. No.66, dated 12.07.2011
under Sections 323, 324, 336, 427, 506, 148, 149 IPC read with Section
25/27/54 of Arms Act, registered at Police Station Raja Sansi, District
Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom
are quashed qua the petitioners on the basis of compromise dated
12.10.2015 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

06.09.2016
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Whether speaking/reasoned	Yes/No.
Whether Reportable:	Yes/No.