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

CRM-M-17391-2016

Date of decision:19.10.2016

Nirmal Singh alias Ramandeep and others ... Petitioners

versus

State of Punjab and others Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Harish Davedi, Advocate,
for the petitioners.

Mr. P.S. Madahar, AAG, Punjab,
for respondent No.1.

Mr. Narinder Singh Dadwal, Advocate,
for respondents No.2 to 4.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.187 dated 04.09.2014 (Annexure P-1) under Sections 323/324/341/148/149 IPC, registered at Police Station Dakha, District Ludhiana Rural (later on offence under Section 326 IPC was added) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.02.2016 (Annexure P-2).

This Court vide order dated 19.05.2016 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

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I attest to the accuracy and
integrity of this document

learned Judicial Magistrate Ist Class, Ludhiana and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 09.09.2016 to the effect that the compromise has been effected between parties without any pressure and with their free will.

Respondent No.2-complainant, namely, Satpal Singh as well as Gurmail Singh-respondent No.3 and Amrik Singh-respondent No.4 have made joint statement with regard to compromise before learned Magistrate on 06.09.2016. The same is reproduced as under:-

“Stated that the case bearing FIR No.187 dated 04.09.2014 u/s 323, 324, 341, 148, 149, 326 IPC, P.S. Dakha, has been got registered by us against accused persons namely Nirmal Singh @ Ramandeep, Jasveer Singh, Jaspreet Singh all sons of Surjit Singh and Charanjeet Kaur @ Charno W/o Surjit Singh and Gurpreet Singh @ Gopi and Jasveer Singh S/o Jagdish Singh (non applicants). Now the matter has been compromised between us with the intervention of respectables. We have seen the copy of compromise dated 16.02.2016 and the same is Ex.PA and we identify our signatures at point A, B & C on the same. We have no objection if the proceedings of the abovesaid case be quashed as per the petition filed by us bearing CRM No.MM-17391 of 2016 in the Hon'ble Punjab & Haryana High Court, Chandigarh in view of compromise executed between us. We have also produced the copy of our ID proofs and the same are placed on record duly signed by us. We have given the statement with our free will and without any pressure, coercion and inducement. We shall remain bound with the compromise.”

Learned State counsel as well as learned counsel for respondents No.2 to 4 have 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 FIR.

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 FIR No.187 dated 04.09.2014 (Annexure P-1) under Sections 323/324/341/148/149 IPC, registered at Police Station Dakha, District Ludhiana Rural (later on offence under Section 326 IPC was added) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 16.02.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

19.10.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.