

270/A.

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

CRM-M-17646-2016

Date of decision:20.10.2016

Jatinder Singh and others

... Petitioners

versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sanjeev K. Virk, Advocate,
for the petitioners.

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

Mr. Harpreet Singh Dandiwal, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.279 dated 18.10.2009 under Sections 323, 451, 148, 149 IPC, Police Station Kapurthala City, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 27.04.2016 (Annexure P-3).

This Court vide order dated 23.05.2016 had directed the parties to appear before the Illaqa Magistrate/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 learned Chief Judicial Magistrate, Kapurthala and got their statements

submitted report dated 22.07.2016 to the effect that the compromise seems to be resolved amicably, is genuine and without any threat, coercion or pressure.

Respondent No.2-complainant, namely, Sonu has made his statement with regard to compromise before learned Magistrate on 03.06.2016. The same is reproduced as under:-

“Stated that I am the complainant of the present case. I have registered a case vide FIR No.279 dated 18.10.2009 under Sections 323/451/148/149 IPC, P.S. City Kapurthala against the accused. Now, I have compromised with accused Jatinder Singh son of Nirmal Singh, Bans @ Tidi @ Lakhwinder Singh son of Jodha Singh, Mintu son of Sohan Singh, Ajay son of Chaman Lal, Kamal son of Chaman Lal, all residents of Mohalla Mata Bhadarkali, Shekhupur, Kapurthala on 27.04.2016. I do not want to proceed with the present case. I made a statement without any pressure, coercion or any inducement.”

Learned State counsel as well as learned counsel for respondent No.2 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 case.

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.279 dated 18.10.2009

under Sections 323, 451, 148, 149 IPC, Police Station Kapurthala City, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 27.04.2016 (Annexure P-3).

(HARI PAL VERMA)
JUDGE

20.10.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.