

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

**CRM-M-24568 of 2016**

**Date of decision: 07.11.2016**

**Gagandeep Singh @ Sonu and others**

**----Petitioner (s)**

**V/s**

**State of Punjab & others**

**-----Respondent(s)**

**CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- Mr. Rishu Mahajan, Advocate for the petitioners.

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

Ms. Jasneet Nehra, Advocate for  
Mr.L.M. Gulati, Advocate for respondents  
No.2 & 3.

**\*\*\*\*\***

**HARI PAL VERMA, J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of cross case registered on the basis of statement dated 12.09.2013 under Sections 452, 324, 323, 148 and 149 IPC in FIR No.92 dated 6.9.2013, under Sections 326, 325, 324, 323, 148, 149 IPC, registered at Police Station 'Division B', Amritsar city, and all the proceedings subsequent arising thereto on the basis of compromise dated 23.02.2015 (Annexure P-2).

This Court vide order dated 23.07.2016 had directed the parties to appear before Illaqa Magistrate/the trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/the trial Court

was directed to submit its report qua the genuiness of the compromise.

Pursuant to the aforesaid order dated 23.07.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 01.09.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

The statement made by the complainant-respondent No.2, namely, *Kashmir Singh* before the Magistrate on 26.08.2016, reads as under:-

*“Stated that compromise has been effected between me and the accused Gagandeep Singh alias Sonu, son of Nithanian, Vikramjit Singh son of Nithanian, Prince Khokhar son of William Khokkar, Nithanian alias Laddu son of Maghar Mal, Bholi w/o Nathanian, Neelam wife of Wilson and Sona w/o Gagandeep, all resident of Main Baar, Ekta Nagar, Chamrang Road, Amritsar as such I do not want to proceed with the present case. I am giving this statement without any coercion, threat or pressure with my sweet will. I have no objection if the FIR bearing no.92 dated 06.09.2013 under Sections 326, 325, 324, 323, 148, 149 IPC registered at Police Station 'B' Division, Amritsar, be quashed against all the accused.”*

Apart from the statement of the complainant-respondent No.2-*Kashmir Singh*, similar statement has also been suffered by complainant-respondent No.3-Balwinder Kaur wife of Kashmir Singh, whereby she has shown no objection to the FIR being quashed. There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Learned counsel for the State as well as learned counsel appearing for respondents No.2 and 3 does not dispute the factum of compromise entered between the parties.

Accordingly, 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)**, as 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 cross case registered on the basis of statement dated 12.09.2013 under Sections 452, 324, 323, 148 and 149 IPC in FIR No.92 dated 6.9.2013, under Sections 326, 325, 324, 323, 148, 149 IPC, registered at Police Station 'Division B', Amritsar city and all consequential proceedings arising therefrom, are quashed qua the petitioners, in view of the compromise dated 23.02.2015 (Annexure P-2).

**07.11.2016**  
Anjal

**[HARI PAL VERMA]**  
**JUDGE**

***Whether speaking/reasoned?*** ***Yes***

***Whether reportable?*** ***Yes/No***