

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

**CRM No. M-28087 of 2016 (O&M)
Date of decision: 14.12.2016**

Palwinder Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Prashant Vashisth, Advocate,
for the petitioners.

Mr. A.P.S. Gill, AAG, Punjab.

Mr. Vinod Kumar Kaushal, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 283 dated 12.08.2015, under Sections 382/452/354/323/506/148/149 IPC, registered at Police Station, Jodhewal, Ludhiana (Annexure P-1) is sought on the basis of compromise dated 19.05.2016 (Annexure P-2).

The F.I.R was registered on the basis of statement made by Kailash Kumar-respondent No.2 (complainant) to the effect that he was doing a private job and his mother was running a *kiryana* shop. On 07.08.2015, at about 10:15 P.M., he was present in the shop of his mother. In the meantime, two persons came there on a motorcycle. They were accompanied by two more persons. After coming there, they started teasing

the mother of the complainant. They also used abusive language against

her. When the complainant came forward, they fled away from the spot. Thereafter, at about 7:30 P.M., Inderpal Singh @ Bhinder along with 10 other boys, armed with weapons, entered into their house and inflicted injuries on the persons of the complainant. When mother of the complainant tried to save him, they pushed her and used abusive language. In this background, the FIR was registered.

During the pendency of trial, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 19.05.2016 (Annexure P-2).

In compliance with the orders dated 06.10.2016 passed by this Court, parties got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate Ist Class, Ludhiana, has been received in this regard. As per report, Kailash Kumar-respondent No.2 (complainant) made his statement on 02.12.2016 to the effect that he has compromised the matter with accused-petitioners out of his own free will and without any coercion or pressure. He has no objection if, the above said FIR is quashed. Separate statements of Palwinder Singh, Inderpal Singh @ Binder, More Singh & Love Kumar-petitioners were also recorded to the same effect. In view of separate statements given by the parties, the court is satisfied that the compromise is valid and genuine one.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 283 dated 12.08.2015, under Sections 382/452/354/323/506/148/149 IPC, registered at Police Station, Jodhewal, Ludhiana, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

14.12.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No