

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

CRM-M-28448 of 2016.
Decided on:-30.09.2016.

Baljeet Singh and others

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

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

Present:- Mr. Sanam Setia, Advocate for
Mr. Atul Goyal, Advocate
for the petitioners.

Mr. P.S. Madahar, AAG, Punjab
for the respondent-State.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.85 dated 25.5.2016 under Sections 452, 342, 323, 325, 506, 220, 148 and 149 IPC registered at Police Station Sadar Khanna, District Khanna (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 30.6.2016 (Annexure P-2).

This Court vide order dated August 17, 2016 had directed the parties to appear before the trial Court to get recorded their statements regarding compromise and the trial Court was directed to send its report qua genuineness of compromise.

Pursuant to the aforesaid order, the parties have appeared before

learned Judicial Magistrate 1st Class, Khanna and got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 21.9.2016 to the effect that the compromise has been entered into between the parties voluntarily and without any pressure or coercion.

The factum of compromise between the petitioners and respondents No.2 to 4 has not been disputed by learned State counsel.

I have heard learned counsel for the parties.

Perusal of the report submitted by learned Magistrate reveals that joint statement of respondent No.2-complainant Gurdev Singh as well as injured Harpreet Kaur and Jaspal Singh (respondents No.3 and 4 herein) has been recorded by learned Magistrate on 19.9.2016. Said joint statement made by respondents No.2 to 4 before learned Magistrate is being reproduced as under:

“We have compromised the matter with the accused Baljeet Singh s/o Balwinder Singh, Jasvir Kaur w/o Baljeet Singh, Pali s/o Hari Singh all resident of village Bhadla Ucha and Davinder Singh s/o Gurbhej Singh R/o House no.213 Street No.5 Gaushala Road Sant Nagar Mandi Gobindgarh District Fatehgarh Sahib and Baljeet Singh S/o Gurcharan Singh R/o village Dhindsa Tehsil and PS Samrala Police District Khanna District Ludhiana, without any pressure or coercion from their side and we have no objection if the FIR bearing No.85 dated

*25.5.2016 under section 452/342/323/325/506/220/148/149
IPC PS Sadar Khanna is quashed according to law against
above said accused.”*

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 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.85 dated 25.5.2016 under Sections 452, 342, 323, 325, 506, 220, 148 and 149 IPC registered at Police Station Sadar Khanna, District Khanna (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise dated 30.6.2016 (Annexure P-2) effected between the parties.

September 30, 2016

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether Reportable: Yes / No