

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

CRM-M-31387 of 2016.
Decided on:-20.12.2016.

Boota Singh and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

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

Present:- Mr. Amit Dhawan, Advocate
for the petitioners.

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

Mr. Mandeep Singh, Advocate for
Mr. Abhimanyu Vinayak, Advocate
for respondent No.2-complainant.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.136 dated 15.07.2016 under Sections 323, 324, 506, 120-B, 148 and 149 IPC registered at Police Station Nakodar, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.08.2016 (Annexure P-2).

This Court vide order dated September 07, 2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before

learned Sub-Divisional Judicial Magistrate, Nakodar and got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted the report dated 07.10.2016 to the effect that the parties have arrived at a volunteer compromise.

The factum of compromise between the parties has not been disputed by learned State counsel as well as learned counsel for respondent No.2-complainant.

I have heard learned counsel for the parties.

Perusal of the report submitted by learned Magistrate reveals that statement of respondent No.2-complainant Ranjit Singh @ Jeeta has been recorded by learned Magistrate on 03.10.2016. Said statement of respondent No.2-complainant, who is author of the FIR in question, made before learned Magistrate is being reproduced as under:

“Stated that present FIR has been got registered on my statement against accused Boota Singh, Amandeep, Jagdeep Singh alias Jagga and Surjit Singh alias Kala, all residents of village Bajuha Khurd. I entered into a compromise voluntarily at my own without any pressure, undue inference and coercion with the accused Boota Singh, Amandeep, Jagdeep Singh alias Jagga and Surjit Singh alias Kala. No proclamation proceedings are pending against any accused. I have no objection if FIR may kindly be quashed against the 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.136 dated 15.07.2016 under Sections 323, 324, 506, 120-B, 148 and 149 IPC registered at Police Station Nakodar, District Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom are quashed on the basis of compromise dated 20.08.2016 (Annexure P-2).

December 20, 2016

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No