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

CRM-M-31231-2015

Date of decision:04.10.2016

Bikramjit Singh @ Vicky and others

... Petitioners

versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Maninder Singh, Advocate,
for the petitioners.

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

None for respondents No.2 and 3.

HARI PAL VERMA, J.(*Oral*)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.98 dated 10.07.2015 under Sections 323/324/326/34 IPC, registered at Police Station Beas, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 03.09.2015 (Annexure P-2).

This Court vide order dated 02.06.2016 had directed the parties to appear before the Illaqa Magistrate 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 Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar and got their statements recorded. On the basis of the statements

so recorded, learned Magistrate has submitted report dated 15.07.2016 to the effect that the compromise has been entered into between parties voluntarily, out of their free will and without any pressure or coercion and the same appears to be genuine one.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Varinder Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 11.07.2016. The same is being reproduced as under:-

“The present case has been registered on my statement against four accused persons namely Bikramjit Singh alias Vicky son of Bhupinder Singh, Harpal Singh alias Bhala son of Amrik Singh, Bablu alias Navrup Singh son of Tarsem Singh and Monty alias Gurpreet Singh son of Pramjit Singh all residents of village Cheema Bath, Tehsil Baba Bakala Sahib, District Amritsar. Now the matter has been compromised with the all the above said accused persons with the intervention of respectable persons of the village. I have no objection if the FIR No.98 of 2015 and subsequent proceedings arising out of said FIR registered at Police Station Beas are quashed by the Hon'ble High Court. I do not want to take further action against the accused persons. I have made this statement out of mine own sweet will, without any threat or pressure. Compromise with all accused persons have been effected out of mine own sweet Will and without any kind of pressure from any one.”

Apart from above, similar statement has also been made by respondent No.3-injured, namely, Ramandeep Singh whereby he has shown no objection to the FIR being quashed.

Learned State counsel has 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 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 F.I.R. No.98 dated 10.07.2015 under Sections 323/324/326/34 IPC, registered at Police Station Beas, District Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 03.09.2015 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

04.10.2016
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.