

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

**C.R.M-M No.32989 of 2016 (O&M)
Date of Decision : 30.11.2016**

Balwinder Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. A.S.Brar, Advocate
 for the petitioners.

Mr. K.S.Pannu, DAG, Punjab.

Mr. Harjinder Singh Mavi, Advocate
for respondent No.2.

AJAY TEWARI, J. (Oral)

This petition has been filed for quashing the proceedings after the conviction.

On 19.09.2016 the following order was passed :-

“This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.127 dated 02.12.2009, under Sections 326, 325, 324, \ 323, 34 IPC, registered at Police Station, Kot Ise Khan, District Moga on the basis of compromise. Notice of motion. Mr.B.S.Thind, Addl.AG, Punjab, on the asking of the Court, accepts notice on behalf of the respondent-State. Learned counsel for the petitioners undertakes to supply a copy of the petition to the learned DAG during the course of the day. Adjourned to 30.11.2016. In the meantime, parties are directed to be present before the trial Court on 23.09.2016 or any other date convenient to the Court for recording their

statements with regard to compromise. The trial Court is directed to record the statements of both the parties to his satisfaction to know its genuineness that the statements are not the result of any pressure or coercion in any manner. The trial Court is also directed to send a report along with statements of the parties with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal proceedings are pending against either of the parties or not before the next date of hearing.”

Statements have been recorded and report has been received from Judicial Magistrate 1st Class, Moga dated 27.09.2016, as per which the parties have settled their dispute.

In view of the fact that the petitioners stand convicted the prayer for quashing can not be accepted but the sentence of the petitioners is reduced to that which they have already undergone.

Petition stands disposed of.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

30.11.2016

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No