

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

CRM-M-42333 of 2015

Date of decision: 17.11.2016

Pritpal Singh @ Ladi and others

----Petitioner (s)

V/s

State of Punjab & another

-----Respondent(s)

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

Present:- Mr.Viranjeet Singh Mahal, Advocate for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. Shakti Mehta, Advocate for
Mr.Varun Sharma, 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.178 dated 04.11.2015 for offence under Sections 148, 323, 324, 326 and 427 read with Section 149 IPC, registered at Police Station Dharamkot, District Moga (Annexure P-1) and all other consequential proceedings arising thereto on the basis of compromise dated 27.11.2015 (Annexure P-2).

This Court vide order dated 06.04.2016 had directed the parties to appear before Illaqa Magistrate Court to get their statements recorded with regard to compromise and the Illaqa Magistrate Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 06.04.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Moga and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 30.04.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

The statement made by respondent No.2-complainant-*Manpreet Singh @ Giani son of Jagroop Singh* with regard to validity of the compromise before learned Magistrate on 29.04.2016, reads as under:-

“This case was registered by the police on my statement. But due to the intervention of respectable persons of our village and locality, I have effected compromise with the accused namely Pritpal Singh, Nishan Singh, Avtar Singh and Gurpreet Singh alias Mohani. The compromise is genuine and without any pressure or undue influence. Photocopy of my adhar card is marked A.”

Apart from the statement of the complainant-respondent No.2, whereby he has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Learned State counsel as well as learned counsel for respondent No.2 do not dispute the factum of compromise entered between the parties.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and**

others, (2012)10 SCC 303, this petition is allowed and FIR No.178 dated 04.11.2015 for offence under Sections 148, 323, 324, 326 and 427 read with Section 149 IPC, registered at Police Station Dharamkot, District Moga (Annexure P-1) and all consequential proceedings arising therefrom, are quashed, qua the petitioners, in view of the compromise dated 27.11.2015 (Annexure P-2).

17.11.2016
Anjal

[HARI PAL VERMA]
JUDGE

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No