

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-13260-2015

Date of Decision: 03.02.2017

Paras Ram and others

.....Petitioners

vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. K.S. Lakhanpal, Advocate,
for the petitioners.

Mr. Sidakmeet Singh Sandhu, A.A.G., Punjab.

Ms. Amandeep Sibia, Advocate,
for respondent no. 3.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, quashing of FIR No. 68 dated 08.08.2014, registered against the petitioners at Police Station Dera Bana Nanak, Police District Batala, for the alleged commission of offences punishable under Sections 326/323/324/506/452/148/149 IPC, is sought, on the basis of a compromise arrived at between the petitioner-accused and respondent no. 2, i.e. the complainant, who thereafter is stated to have died.

A copy of the compromise, in the form of an application made by the late Rattan Lal to the SHO, Police Station Dera Baba Nanak and also shown to be signed by various other persons of the village including its Sarpanch, has been annexed as Annexure P-2 with the petition.

Vide an order of this Court dated 25.07.2016, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Judicial Magistrate Ist Class, Batala, has been sent to this Court, in which it is stated that statements of the petitioners and respondent no. 3 have been recorded, to the effect that the matter has been compromised between the petitioners and respondent no. 2, the complainant (father of respondent no. 3) having died in the meanwhile.

As per the assessment of the learned JMIC, the compromise arrived at between the parties is of the free will of the parties without any fear or pressure on either of them. The statement of respondent no. 3, made before the learned JMIC, on 31.08.2016 has also been annexed with the report of the Magistrate.

Seeing the nature of offences as involved, and keeping in view the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, in the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No. 68 dated 08.08.2014, registered against the petitioners at Police Station Dera Baba Nanak, District Batala, for the alleged commission of offences punishable under Sections 326/323/324/506/452/148/149 IPC, along with all proceedings emanating therefrom, is hereby quashed.

February 03, 2017
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.