

250.

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

CRM-M-17975-2017

Date of decision:05.09.2017.

SUKHDEV SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Preetwinder Singh Dhaliwal, Advocate,
for the petitioners.

Mr. A.S. Dhaliwal, DAG, Punjab,
for respondent No.1.

Mr. Ferry Sofat, Advocate,
for Mr. Devender Singh Dhillon, Advocate,
for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0023 dated 19.03.2016 under Sections 382, 323, 506, 148, 149 IPC and Sections 25/27 of Arms Act, registered at Police Station Dhanaula, District Barnala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 18.03.2017 (Annexure P-2).

This Court vide order dated 12.07.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court 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 Chief Judicial Magistrate, Barnala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 10.08.2017 to the effect that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Harkamal Preet Singh has made his statement with regard to compromise before learned Magistrate on 03.08.2017. The same is reproduced as under:-

“Stated that I am complainant in this case and in the present FIR no.23 dated 19.03.2016, PS Dhanaula was registered on my statement against the accused namely Jagraj Singh, Hardev Singh, Gurpreet, Baljit Singh Khanna, Hargun Singh, Sukhdev Singh, Amarjit Singh and one unknown person.

Now I have compromised the matter with the accused namely Sukhdev Singh, Hardev Singh, Baljit Singh, Gurpreet Singh, Amarjit Singh, Gurjit Singh, Hargunpreet Singh and Jagraj Singh without any pressure, coercion with the intervention of respectables. I have no objection if the present FIR be quashed.”

Learned State counsel as well as learned counsel appearing on behalf of respondent No.2 have 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

others (2012) 10 SCC 303, this petition is allowed and F.I.R. No.0023 dated 19.03.2016 under Sections 382, 323, 506, 148, 149 IPC and Sections 25/27 of Arms Act, registered at Police Station Dhanaula, District Barnala (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 18.03.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

05.09.2017
sanjeev

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No