

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

239

CRM-M-1838 of 2017

Date of Decision:08.11.2017

Sukhdev Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Ms. Navneet Kaur, Advocate for
Mr. Gopal Singh Nahel, Advocate,
for the petitioners.

Mr. M.S.Nagra, A.A.G., Punjab.

Ms. Sandeep Kaur Randhawa, Advocate for
Mr. Ranjit Singh Sidhu, Advocate,
for respondent Nos.2 to 9.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of DDR No.34 dated 09.01.2017 under Sections 341/323/325/308/148/149 IPC in case FIR No.99 dated 05.08.2016, registered at Police Station Chhajli, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 06.12.2016 (Annexure P-3).

This Court vide order dated 23.01.2017 had directed the parties to appear before the 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 Judicial Magistrate 1st Class, Sunam and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.02.2017 to the effect that the parties have compromised the mater. The compromise arrived at between the parties is voluntarily with free consent and without any coercion, undue influence or fear.

Respondent No.2-Complainant, namely, Darshan Singh, injured-Jagpreet Singh, Jeewan Singh, Nahar Singh, Gagandeep Singh, Sarabjit Singh, Rajvir Singh and Babu Singh, respondent Nos.3 to 9 have made joint statement with regard to compromise before learned Magistrate on 16.02.2017. The same is reproduced as under:-

“Stated that DDR No.34 dated 09.01.2017 under Sections 341, 323, 325, 308, 148, 149 IPC in case FIR No.99 dated 05.08.2016, Police Station Chhajli was registered on their statement. We have compromised with the accused. The compromise is voluntarily with free consent and without any coercion undue influence or fear. We have no objection if DDR is quashed”.

Learned State counsel as well as learned counsel for respondent Nos.2 to 9 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 case.

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)***

under Sections 341/323/325/308/148/149 IPC in case FIR No.99 dated 05.08.2016, registered at Police Station Chhajli, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 06.12.2016 (Annexure P-3).

November 08, 2017
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No