

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19150 of 2017
Date of Decision: 10.8.2017

Gurpreet Singh and others ..Petitioners

versus

State of Punjab and others ..Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. D.S.Sandhu, Advocate, for the petitioners.

Mr. Rana Harjasdeep Singh, Assistant Advocate General,
Punjab for respondent no.1.

Ms. Mandeep Kaur, Advocate, for respondents no. 2 to 4.

RAMENDRA JAIN, J.(ORAL)

Through this petition under section 482 of the Code of Criminal Procedure, prayer has been made for quashing FIR No.87 dated 22.03.2014 registered under Sections 323,324,326,148, 149, 447 and 511 IPC at Police Station City Kapurthala on the basis of compromise (Annexure P-2) along with all subsequent proceedings arising therefrom.

Vide order dated 25.05.2017, the parties were directed to appear before the Illaqa Magistrate/trial court to get their statements recorded with a direction to send a report to this court whether the compromise has been arrived at between the parties voluntarily.

Consequently, the parties, except petitioner no.3-Piara Singh, appeared before the trial court and got their statements recorded. The report from the concerned Magistrate has also been received vide his covering letter No.860 dated 10.7.2017 duly forwarded by learned District and

Sessions Judge, Kapurthala vide Endst. No.1093 dated 11.7.2017.

According to the report of the Chief Judicial Magistrate, Kapurthala, none of the parties has disputed the factum of compromise effected between the complainant party and the accused. However, genuineness of compromise qua petitioner No.3-Piara Singh could not be ascertained due to his absence.

A perusal of the file shows that Petitioner no.5 Sukhjinder Singh @ Sukhu, who is presently residing abroad in Canada and has executed a Special Power of Attorney in favour of petitioner no.1 Gurpreet Singh son of Karnail Singh, resident of Sangojla, Tehsil and District Kapurthala. Petitioner no.1, being the power of attorney, on behalf of petitioner no.5, filed the present petition and got effected the compromise on his behalf.

In view of the totality of the facts and circumstances and considering the fact that the compromise will bring peace and harmony in relation between the parties, the instant petition, qua petitioner nos. 1, 2 and 4 to 8 is allowed and qua petitioner no.3 Piara Singh, is dismissed. Accordingly, the aforesaid FIR No.87 dated 22.3.2014 is hereby quashed qua petitioner nos.1, 2 and 4 to 8 only alongwith all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

10.08.2017
jitender sharma/VK

(RAMENDRA JAIN)
JUDGE

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| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether Reportable | Yes/No |