

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

**Crl. Misc. No. M-20045 of 2017
Date of Decision:12.10.2017**

Ajay Kumar and others Petitioners

Vs.

State of Punjab and others Respondents

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

Present:- Mr. Vinod Kumar, Advocate for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. Amit Shukla, Advocate for Mr. Parminder Singh,
Advocate for respondents No.2 to 4.

Hari Pal Verma, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.10 dated 24.02.2017 under Sections 323/324/427/148 and 149 IPC registered at Police Station Talwara District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 22.05.2017 (Annexure P-2).

This Court vide order dated 01.06.2017 had directed the parties to appear before the Illaqa Magistrate 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 Ist Class, Mukerian and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 01.07.2017 to the effect that the

compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Deepak Thakur has made his statement with regard to compromise before learned Magistrate on 08.06.2017. The same is reproduced as under:-

“I have compromised the matter with the Petitioner/ accused No.1 Ajay Kumar Aged 23 years S/o Tarsem Lal R/o Quarter No.1129 UT-3 Sector-03 Talwara Township, Tehsil Mukerian District Hoshiarpur, Petitioner/ accused No.2 Balwinder @ Manu Aged 26 years S/o Tarsem Lal R/o Quarter No.1129 UT-3 Sector-03 Talwara Township, Tehsil Mukerian District Hoshiarpur, Petitioner/ accused No.3 Abhinav @ Abhi Aged 29 years S/o Jyoti Parshad Sharma R/o Quarter No.1450 LT-3 Sector-03 Talwara Township, Tehsil Mukerian District Hoshiarpur, Petitioner/ accused No.4 Saurab @ Vicky Aged about 16 years (Minor) through his father Vipin Sharma S/o Sh. Lekh Raj Sharma R/o Quarter No.1157 LT-3 Sector-03 Talwara Township, Tehsil Mukerian District Hoshiarpur, Petitioner/ accused No.5 Sahil @ Sandy Aged 27 years S/o Darshan Singh R/o Quarter No.1121 LT-3 Sector-03 Talwara Township Tehsil Mukerian District Hoshiarpur, Petitioner/ accused No.6 Shanker @ Ankush Aged 24 years

S/o Satish Kumar R/o Village Haler PO Talwara, Tehsil Mukerian District Hoshiarpur, Petitioner/ accused No.7 Ankit @ Dishu Aged 22 years S/o Davinder Singh R/o Village Haler PO Talwara, Tehsil Mukerian District Hoshiarpur. I have compromised the matter voluntarily and without any pressure or undue influence threat or coercion. I have no objections if FIR No.10 dated 24.02.2017 under section 323, 324, 427, 148 and 149 of IPC PS Talwara be quashed.”

Statements to the same effect have been made by other injured, namely, Sandeep Kumar and Rohit Kumar – respondents No.3 and 4.

Learned State counsel as well as learned counsel for respondent Nos.2 to 4 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 the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.10 dated 24.02.2017 under Sections 323/324/427/148 and 149 IPC

registered at Police Station Talwara District Hoshiarpur and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 22.05.2017 (Annexure P-2).

October 12, 2017
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(HARI PAL VERMA)
JUDGE

Whether Speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No