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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.216 of 2017
Date of Decision: 26.05.2017

Bhupinder Singh and Another ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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

Ms. Simsi Dhir, DAG, Punjab.

Amol Rattan Singh, J. (Oral)

By this petition, quashing of FIR No.155 dated 22.11.2016, registered against the petitioners at Police Station, Garhshankar, District Hoshiarpur, for the alleged commission of offences punishable under Sections 324, 323, 34 IPC, is sought, on the basis of a compromise arrived at between the petitioners and respondent No.2, i.e. the complainant.

Vide an order of this Court dated 11.01.2017, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the order dated 11.01.2017, the report of the Sub-Divisional Judicial Magistrate, Garhshankar, has been received, to the effect that the complainant in the FIR, i.e. respondent No.2 herein, Yadwinder Singh @ Kaka, had appeared in that Court on 24.01.2017 and got recorded his statement, to the effect that he has entered into a compromise with the

petitioners, Bhupinder Singh and Amandeep Singh, without any coercion, and that he has no objection if the FIR registered against them is quashed. Petitioners, Bhupinder Singh and Amandeep Singh, also appeared on the same date and got their statements recorded in respect of the compromise with respondent No.2.

As per the learned Magistrate, the compromise has been effected without any undue influence, pressure or coercion.

Though the allegations against the petitioners are that they attacked the complainant with a datar in the hands of petitioner No.1 Bhupinder Singh, and with an iron rod in the hands of petitioner No.2, Amandeep Singh, however, since the matter has been compromised and would not fall within the ambit of a heinous crime, it is considered appropriate to allow the petition.

Consequently, the petition is allowed and FIR No.155 dated 22.11.2016, registered against the petitioners at Police Station, Garhshankar, District Hoshiarpur, for the alleged commission of offences punishable under Sections 324, 323, 34 IPC, alongwith all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

26.05.2017

D.B./RD

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No