

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-23231-2016

Date of decision : 22.02.2017

Satnam Singh and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Amit Dhawan, Advocate
for the petitioners.

Mr.Aditya Sanghi, Addl.A.G. Punjab.

Mr. B.S. Pathania, Advocate
for respondent no.2.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.150 dated 28.08.1980, registered against the petitioners at Police Station Kartarpur, District Jalandhar, for the alleged commission of an offence punishable under Section 324 IPC read with Section 34 thereof, is sought to be quashed, on the basis of a compromise arrived at between the petitioners-accused and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 17.10.2016, the parties were directed to appear before the learned Illaqa Magistrate/trial Court, to get their statements recorded, in terms of the compromise.

Pursuant to the order dated 17.10.2016, the report of the learned Judicial Magistrate Ist Class, Jalandhar, has been received, to the effect that the petitioners as also respondent no.2 appeared before that Court

stated to have been reached between the parties.

As per the report of learned JMIC, the compromise reached between the parties is genuine, effective, voluntary and without any pressure, coercion or undue influence.

In view of the above, the FIR actually being of the year 1980, i.e. 37 years ago, and the parties finally having reached a compromise, also looking at the fact that the offence alleged to have been committed is one under Section 324 IPC read with Section 34 thereof, and further keeping in mind the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, I see no purpose to continue with criminal proceedings

Consequently, the petition is allowed and FIR No.150 dated 28.08.1980, registered against the petitioners at Police Station Kartarpur, District Jalandhar, for the alleged commission of an offence punishable under Sections 324 read with Section 34 IPC, along with all proceedings arising therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

February 22, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No