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

CRM-M-24196-2017

Date of decision:04.09.2017

PARTAP SINGH & ORS

... Petitioners

versus

STATE OF PUNJAB & ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Harchand Singh Batth, Advocate,
for the petitioners.

Mr. A.S. Dhaliwal, DAG, Punjab,
for respondent No.1.

Mr. J.S. Dhaliwal, 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.37 dated 03.05.2014 under Sections 326, 325, 323, 506, 148, 149 IPC, registered at Police Station Valtoha, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 11.07.2017 had directed the parties to appear before the Illaqa Magistrate/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 Ist Class, Patti and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.08.2017 to the effect that the compromise effected between the parties seems to be genuine and without any influence.

Respondent No.2-complainant, namely, Jaswant Singh and respondents No.3 and 4, namely, Sarabjit Singh and Narvail Singh respectively, have made a joint statement with regard to compromise before learned Magistrate on 02.08.2017. The same is reproduced as under:-

“Stated that the compromise has been effected with the petitioners Partap Singh son of Milkha Singh, Gurlal Singh son of Shingara Singh, Hardev Singh son of Kashmir Singh, Baldev Singh son of Didar Singh, Shingara Singh son of Milkha Singh, Swaran Singh son of Didar Singh, Gurbinder Singh son of Baldev Singh, Satnam Singh son of Baldev Singh, Sharanjit Singh son of Joginder Singh, Dharambir Singh son of Joginder Singh, Sukhdev Singh son of Kashmir Singh and Karambir Singh son of Nishan Singh all resident of Village Cheema Khurd, Tehsil Patti, District Tarn Taran in FIR no.37 of 2014 dated 03.05.2014 under section 326, 325, 323, 324, 506, 148, 149 of IPC registered at P.S. Valtaha. We are resident of village Cheema Khurd, Tehsil Patti, District Tarn Taran and petitioners are resident of village Cheema Khurd, Tehsil Patti, District Tarn Taran. It is further relevant that we are distant relations among each other. That with the intervention of respectables of our village and relatives without any pressure or coercion in any manner, with our sweet will the present compromise has been arrived at. We have no objections if compromise accepted and FIR no.37 of 2014, P.S. Valtaha is quashed by the Hon'ble Punjab and Haryana High Court, Chandigarh.”

Learned State counsel as well as learned counsel for respondents No.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.37 dated 03.05.2014 under Sections 326, 325, 323, 506, 148, 149 IPC, registered at Police Station Valtaha, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise (Annexure P-2).

(HARI PAL VERMA)
JUDGE

04.09.2017
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Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No