

In the High Court of Punjab and Haryana at Chandigarh

Criminal Misc. No. M-24887 of 2017

Date of Decision: 13.9.2017

Lovepreet Singh and others

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Amandeep Chhabra, Advocate for
Mr. Rishu Mahajan, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

HARI PAL VERMA, J. (ORAL)

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of F.I.R. No. 30 dated 17.2.2017 under Section 326, 325, 324, 323, 148, 149 IPC, registered at Police Station Bhikhiwind, Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.6.2017 (Annexure P-2).

This Court vide order dated 14.7.2017 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 29.8.2017 to the effect that the compromise arrived at between

the parties is genuine, voluntary and without any coercion or undue influence.

Though no one has put in appearance on behalf of respondent No. 2-complainant, namely, Jaimal Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 11.08.2017. The same is reproduced as under:-:-

“Stated that FIR No. 30 dated 17.2.2017, u/s 326, 325, 324, 323, 148, 149 IPC, Police Station : Bhikhiwind was registered against petitioner No. 1 Lovepreet Singh son of Kuljit Singh, petitioner No. 2 Ravalpreet Singh son of Rashpal Singh, petitioner No. 3 Prabhdeep Singh son of Rachhpal Singh, petitioner No. 4 Akashdeep Singh son of Dilbag Singh, petitioner No. 5. Rashpal Singh son of Gurmej Singh, petitioner No. 6 Nirmal Singh son of Gurmej Singh, petitioner No. 7 Kuljit Singh son in law of Gurmej Singh all residents of village Begepur, District Tarn Taran on my statement. I have compromised with above said persons. Petitioner No. 7 Kuljit Singh has not come present today. However I have also effected compromised with Kuljit Singh son in law of Gurmej Singh. It is also stated that name of father of petitioner No. 3 Ravalpreet Singh is Rashpal Singh and not Kuljit Singh. I have no objection if the above said FIR is quashed against above named petitioner No. 1 to 6 and petitioner No. 7 namely Kuljit Singh son in law of Gurmej Singh, by the Hon'ble Punjab & Haryana High Court, Chandigarh.”

Learned State counsel, on instructions from Head Constable Jagjeet Singh, has admitted 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 the F.I.R. No. 30 dated 17.2.2017 under Section 326, 325, 324, 323, 148, 149 IPC, registered at Police Station Bhikhiwind, Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 16.6.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

September 13, 2017
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No