

CRM No. M-25220 of 2017(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM No. M-25220 of 2017(O&M)  
Date of Decision : 29.08.2017

Sohan Singh and others

...Petitioners

versus

State of Punjab and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present : Mr. Ramneek Vasudeva, Advocate for the petitioners.

Ms. Seena Mand, Deputy Advocate General, Punjab.

Mr. Gaurav Soni, Advocate  
for respondents No. 2 and 3.

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**ANUPINDER SINGH GREWAL, J. (ORAL)**

The petitioners are seeking quashing of FIR No. 109 dated 22.09.2007 (Annexure P-1), under Sections 452, 323, 148, 149 IPC (Section 325 IPC added later on), registered at Police Station Nangal, District Rupnagar as well as orders dated 30.07.2009, 02.03.2010 and 28.02.2014, whereby the petitioners have been declared proclaimed offenders and all other consequential proceedings arising therefrom on the basis of compromise, which has been arrived at between the parties.

Learned counsel for the petitioners contends that the co-accused of the petitioners have already been acquitted by the trial Court vide judgment dated 26.09.2014 and no purpose would

be served if the petitioners undergo fresh trial and, therefore, the proceedings deserve to be quashed. In support of his contention, he has placed reliance on the judgments of the Division Bench of this Court in the cases of *Sudo Mandal @ Diwarak Mandal Vs. State of Punjab*, 2011(2) RCR (Criminal) 453, *Jasvinder Singh Vs. State of Punjab and another*, 2013(1) RCR(Criminal) 310, *Balbir Singh Vs. State of Punjab and another*, 2011(3) RCR(Criminal) 234 and *Deepak Vs. State of Punjab*, 2015(6) RCR(Criminal) 353. Learned counsel also contends that the petitioners have surrendered before the trial Court in pursuance to the order of this Court and have been admitted to regular bail after furnishing bail bonds to the satisfaction of the Illaqa Magistrate.

This Court vide order dated 18.07.2017 had directed the parties to appear before the trial Court/Illaqa Magistrate for recording their statements with regard to the genuineness of compromise. The Sub Divisional Judicial Magistrate, Sri Anandpur Sahib, has sent his report dated 31.07.2017, wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any pressure or coercion.

The co-accused of the petitioners have been acquitted by the trial Court vide judgment dated 26.09.2014 and the matter has been compromised between the complainant and the petitioners. In view of the law laid down in "*Narinder Singh Vs. State of Punjab*" 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the

petition is allowed and FIR No. 109 dated 22.09.2007 (Annexure P-1), under Sections 452, 323, 148, 149 IPC (Section 325 IPC added later on), registered at Police Station Nangal, District Rupnagar and all other consequential proceedings arising therefrom including the impugned orders, are hereby quashed qua the petitioners only.

August 29, 2017  
*kanchan*

(ANUPINDER SINGH GREWAL)  
JUDGE

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|-----------------------------------|------------|
| <i>Whether speaking/reasoned?</i> | <i>Yes</i> |
| <i>Whether reportable?</i>        | <i>No</i>  |