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

CRM-M-26376-2017

Date of decision:27.09.2017.

JATINDER SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sachit Kaushal, Advocate,
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab,
for respondent No.1.

Mr. Karan Garg, Advocate, for
Ms. Priyanka Puri, Advocate,
for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.155 dated 08.10.2013 under Sections 323, 336, 452, 506, 148, 149 IPC, registered at Police Station Dehlon, District Ludhiana City (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 16.12.2016 (Annexure P-2).

This Court vide order dated 25.07.2017 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, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 13.09.2017 to the effect that the compromise between the parties is genuine and it has been effected voluntarily, without any pressure, coercion or undue influence from any quarter.

Respondent No.2-complainant, namely, Dharamjit Singh has made his statement with regard to compromise before learned Magistrate on 24.08.2017. The same is reproduced as under:-

“Stated that FIR No.155 dated 08.10.2013 U/s 323/336/452/506/148/149 of IPC, P.S. Dehlon Ludhiana was registered on the basis of my statement. I have compromised the matter with the accused persons i.e. with Jatinder Singh S/o Davinder Singh R/o Village Harnampura, P.S. Nat, Teh. & District Ludhiana, Harjot Singh S/o Ram Singh R/o Village Harnampura, P.S. Nat, Teh. & District Ludhiana, Samandeep Singh S/o Narotam Singh R/o Village Harnampura, P.S. Nat, Teh. & District Ludhiana, Satnam Singh S/o Avtar Singh R/o Sahibana, Teh. & District Ludhiana, Sukhchain Singh S/o Talwinder Singh R/o Village Nat, Teh. & District Ludhiana, with my free consent and voluntarily with the intervention of the respectables of our villagers. I have no objection if the above captioned FIR is quashed against the accused person Jatinder Singh S/o Davinder Singh R/o Village Harnampura, P.S. Nat, Teh. & District Ludhiana, Harjot Singh S/o Ram Singh R/o Village Harnampura, P.S. Nat, Teh. & District Ludhiana, Samandeep Singh S/o Narotam Singh R/o Village Harnampura, P.S. Nat, Teh. & District Ludhiana, Satnam Singh S/o Avtar Singh R/o Sahibana, Teh. & District Ludhiana, Sukhchain Singh S/o Talwinder Singh R/o Village Nat, Teh. & District Ludhiana, present in the court today. Original compromise is attached with the petition pending before the Hon'ble Punjab & Haryana High Court Chandigarh and the photocopy of the same is Ex.A 1. I identify my signatures over photocopy of compromise

dated 16.12.2016. FIR No.155 dated 08.10.2013 U/s 323/336/452/506/148/149 of IPC, P.S. Dehlon Ludhiana was registered against only the above name persons. I have placed copy of my Adhar Card as my identity proof, the same is Ex.A2. No accused has been declared P.O. in present case. I identify all the accused present in the court.”

Learned State counsel as well as learned counsel appearing on behalf of respondent No.2 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.155 dated 08.10.2013 under Sections 323, 336, 452, 506, 148, 149 IPC, registered at Police Station Dehlon, District Ludhiana City (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 16.12.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

27.09.2017
sanjeev

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