

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

251

CRM-M-27120-2017.

Date of Decision: 21.11.2017.

Gurpreet Singh alias Babbu and others

....Petitioners.

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: None for the petitioners.
Mr. A.S. Sandhu, Additional Advocate General, Punjab.
Mr. Amit Arora, Advocate, for respondents No.2 to 4.

Ramendra Jain, J.(Oral)

Through this petition under Section 482 of the Code of Criminal Procedure, prayer has been made for quashing criminal complaint No.SC.42/23.10.2013/12.05.2016/18.05.2016 and order dated 16.09.2015 passed by Judicial Magistrate Ist Class, Tarn Taran as well as the charge sheet dated 05.08.2016 of Additional Sessions Judge, Tarn Taran, vide which charges have been framed against the petitioners for the offences under Sections 307, 452, 336, 323, 506, 148 and 149 IPC read with Section 25 of the Act, on the basis of compromise (Annexure-P6).

On presentation of the petition, vide order dated 31.07.2017 passed by this Court, the parties were directed to appear before the trial Court/Illaq Magistrate for recording their statements qua compromise with a direction to the trial Court/ Illaq Magistrate, to furnish a report qua veracity thereof, if any, between the parties.

Consequently, the parties had appeared before the Additional District and Sessions Judge, Tarn Taran and got recorded their statements. Report from the concerned Judge has been received vide letter bearing No.490 dated 06.09.2017 duly forwarded by learned District and Sessions Judge, Tarn Taran vide Endst. No.5181 dated 06.09.2017.

According to the report of Additional District and Sessions Judge, Tarn Taran, the compromise arrived at between the parties is with their free will and without any coercion or pressure.

Learned counsel for respondents No.2 to 4 submits that vide order dated 25.10.2017 passed in CRR No.4678 of 2016, by a co-ordinate Bench of this Court, the order dated 05.08.2016 passed by Additional Sessions Judge framing a charge against the petitioners under Section 307 IPC has been set aside. He has placed on record the copy of order dated 25.10.2017.

In view of the totality of the facts and circumstances and considering the fact that the compromise will bring harmony in relations between the parties, the present petition is accepted and the aforesaid criminal complaint No.SC.42/23.10.2013/12.05.2016/18.05.2016 and the summoning order dated 16.09.2015 of Judicial Magistrate Ist Class, Tarn Taran as well as the charge sheet dated 05.08.2016 of Additional Sessions Judge, Tarn Taran, are quashed qua the petitioners only.

21.11.2017
jitender sharma

(RAMENDRA JAIN)
JUDGE

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No