

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30099-2017

Date of decision: November 08, 2017

Nirmal Singh and others

.... Petitioners

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rahul Bhargava, Advocate
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab,
for respondent No.1.

None 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.114 dated 06.08.2017 under Sections 447, 506, 511, 379, 336, 148, 149 IPC and Sections 25/54/59 of Arms Act, registered at Police Station Ajnala District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 12.08.2017 (Annexures P-2 and P-3).

This Court vide order dated 18.08.2017 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 Sub Divisional Judicial Magistrate, Ajnala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.09.2017 to the effect that the compromise has been effected between the

parties without any threat, coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Suba @ Sooba Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 21.09.2017. The same is reproduced as under:-

“The present case bearing FIR No.114 dated 06.08.2017, registered with police station Ajnala, District Amritsar Rural, under Sections 447, 506, 511, 379, 336, 148, 149 IPC and 25-54-59 Arms Act, has been got registered by me against Nirmal Singh son of Teja Singh, resident of Village Bhure Gill, Tehsil Ajnala, District Amritsar Rural, Prabhdeep Singh @ Ricky son of Gursahib Singh, Parkash Singh son of Surjan Singh, Bakshish Singh son of Surjan Singh, Jasmail Singh son of Surjan Singh, residents of Village Chamiari, Tehsil Ajnala, District Amritsar Rural. Now with the intervention of the respectables of the society, a compromise has been effected between the petitioners and respondent i.e. complainant party and the accused party. I am giving this statement today in the Court without any threat, coercion or undue influence and with my own free will. I have brought my Aadhar Card today in the court showing my identity and copy of the same is Mark-A. I have no objection if the above said FIR be quashed. ”

Learned State counsel has 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.114 dated 06.08.2017 under Sections 447, 506, 511, 379,

336, 148, 149 IPC and Sections 25/54/59 of Arms Act, registered at Police Station Ajnala District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 12.08.2017 (Annexures P-2 and P-3).

(HARI PAL VERMA)
JUDGE

November 08, 2017
m. sharma

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