

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

**CRM-M No.30267 of 2017
Date of Decision.30.10.2017**

Bau Ram @ Jaffu and another

.....Petitioners

Vs

State of Punjab and others

.....Respondents

Present: Mr. Gagandeep Singh, Advocate for
Mr. A.S. Manaise, Advocate
for the petitioners.

Mr. Bhupinder Beniwal, AAG, Punjab.

Mr. Kanwaljeet Singh, Advocate
for respondent Nos.2 and 3.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J.(ORAL)

The present petition has been filed for quashing of F.I.R. No.4 dated 23.01.2014 under Sections 326, 323, 295, 34 IPC registered at Police Station Narot Jaimal Singh, District Pathankot along with conviction order dated 21.02.2017 (Annexure P-2) and all subsequent proceedings arising therefrom on the basis of compromise dated 09.08.2017 (Annexure P-4).

This Court vide order dated 21.08.2017 had directed the parties to appear before the Appellate Court to get their statements recorded and the Appellate Court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Additional Sessions Judge, Pathankot and got their statements recorded. On the basis of the statements so recorded, learned Additional Sessions Judge, Pathankot has submitted his report dated 18.10.2017 to the

effect that the parties have arrived at a volunteer compromise.

Respondent No.2-complainant, namely, Amarbir Singh has made his statement with regard to compromise before learned Additional Sessions Judge on 21.09.2017. The same is reproduced as under:-

“Stated that matter in this case has been compromised with the accused Babu Ram and Shiv Dyal with the intervention of respectables to maintain peace and harmony and there was a dispute regarding possession of land which is also settled between us and I do not wish to pursue the FIR and the allegations against the accused on account of compromise and the FIR consequent proceeding including the conviction order may please be set aside”

Learned counsel for the petitioner submits that the FIR can be quashed even at the stage of appeal. In support of his contention, relies upon the judgment of Division Bench of this Court rendered in **Sube Singh and another Vs. State of Haryana and another 2013(4) RCR (Criminal) 102.**

Learned State counsel as well as learned counsel for respondent No.2 and 3 have not disputed the factum of compromise between the parties.

Since the factum of compromise has also been endorsed by the complainant before the Court below, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Resultantly, this petition is allowed and F.I.R. No.4 dated 23.01.2014 under Sections 326, 323, 295, 34 IPC registered at Police Station Narot Jaimal Singh, District Pathankot along with conviction order

dated 21.02.2017 (Annexure P-2) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 09.08.2017 (Annexure P-4).

October 30, 2017
Pankaj*

(AMIT RAWAL)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No