

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

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**CRM-M-32498-2017 (O&M).
Date of Decision: 31.10.2017.**

Rajat Sharma and others

....Petitioners.

Versus

State of Punjab and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Akaant Kumar Mittal, Advocate, for the petitioners.

Mr. Rana Harjasdeep Singh, Assistant Advocate General,
Punjab.

Ramendra Jain, J.(Oral)

Through this petition under Section 482 of the Code of Criminal Procedure, prayer has been made for quashing F.I.R. No.70 dated 26.04.2017 registered under Sections 307, 323, 324, 148 and 149 of the Indian Penal Code, at Police Station Kotwali Patiala, District Patiala, on the basis of compromise dated 18.07.2017 (Annexure-P2).

On presentation of the petition, vide order dated 04.09.2017 passed by this Court, the parties were directed to appear before the trial Court/ Illaqa Magistrate for recording their statements with a direction to the trial Court/ Illaqa to furnish a report qua veracity of the compromise, if any, between the parties.

Consequently, the parties had appeared before the Chief Judicial Magistrate, Patiala, on 14.09.2017 and got recorded their statements. Report from the concerned Chief Judicial Magistrate has been

received vide letter bearing No.102 dated 16.09.2017 duly forwarded by learned District and Sessions Judge, Patiala vide letter bearing No.4778/AL dated 18.09.2017.

According to the report of Chief Judicial Magistrate, Patiala, the compromise is genuine, voluntary and without coercion or undue influence and an outcome of free will and consent of the parties.

Learned counsel for the petitioners contends that injury attracting Section 307 IPC is attributed to co-accused Baren Sahni. The present petitioners have not been attributed any serious injury. Complainant Gurpreet Arora has given statement before the trial Court qua compromise. The Chief Judicial Magistrate has reported that compromise between the parties is genuine, voluntary and without coercion or undue influence and an outcome of their free will and consent.

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 F.I.R. No.70, is quashed qua petitioners Rajat Sharma, Balwinder Singh, Varinder Pal Singh, Ishtjot Singh, Jasleen Singh and Jaskaran Singh only.

(RAMENDRA JAIN)
JUDGE

31.10.2017
jitender sharma

Whether speaking/ reasoned	Yes/ No
Whether Reportable	Yes/ No