

255.

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

CRM-M-34232-2017

Date of decision:28.11.2017.

SANDEEP SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Kamaljeet S. Mamrat, Advocate,
for the petitioners.

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

Mr. P.S. Dhanoa, Advocate, for
Mr. Mukesh Mehra, 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.0148 dated 10.10.2016 under Sections 323, 324, 34 IPC (Section 201 IPC added lateron), registered at Police Station Morinda, District Ropar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 17.07.2017 (Annexure P-2).

This Court vide order dated 14.09.2017 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, Rupnagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.10.2017 to the effect that the compromise effected between the parties is genuine, voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Rustam Ali has made his statement with regard to compromise before learned Magistrate on 16.09.2017. The same is reproduced as under:-

“I have got registered the case FIR no.148 dt. 10.10.2016 U/s 323, 324, 34 IPC and offence U/s 201 IPC was enhanced later on, PS Morinda against Sandeep Singh s/o Gurdev Singh, Balwinder Singh @ Babbu s/o Baldev Singh and Harwinder Singh @ Harry s/o Baldev Singh all are the r/o Village Kanjla, PS Morinda, Distt. Rupnagar. Now I have compromised the matter with them. Voluntarily with my free will and without any type of threat or coercion, undue influence and pressure. Now I have no grudge against the above said accused persons. I want to lead peaceful social life. No other person has been arrayed as accused except the above said three accused. I am the only injured person in the present case. If, the said FIR be quashed I will have no objections to the same.”

Learned State counsel as well as learned counsel for 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

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.0148 dated 10.10.2016 under Sections 323, 324, 34 IPC (Section 201 IPC added lateron), registered at Police Station Morinda, District Ropar (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 17.07.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

28.11.2017
sanjeev

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