

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35008-2017

Date of decision: November 30, 2017

Beant Singh @ Babbu and others

.... Petitioners

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Aminder Singh, Advocate
for the petitioners.

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

Mr. Damanjit Singh Sandhu, Advocate
for respondents No.2, 4 and 5.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.120 dated 16.08.2014 under Sections 452, 323, 506, 148, 149 IPC, registered at Police Station Bhawanigarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.08.2017 (Annexure P-2).

This Court vide order dated 21.09.2017 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, Sangrur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 10.11.2017 to the effect that the compromise effected between the parties is with

their free will and consent, without any pressure or coercion.

Respondent No.2-complainant, namely, Jagdeep Singh as well as respondents No.3 to 5, namely, Gurmeet Singh, Jasvir Kaur and Gurpreet Singh, have made a joint statement with regard to compromise before learned Magistrate on 10.11.2017. The same is reproduced as under:-

“We have entered into compromise with the accused persons out of our free will without any pressure or coercion. We no longer have any grudge against the accused. We have suffered this statement with our consent out of our free will without any pressure or coercion. We place on record self attested copies of our Adhar Cards Ex.C1 to Ex.C4. We have no objection if the FIR number 120 dated 16.08.2014 under Sections 452, 323, 506, 148, 149 IPC, PS Bhawanigarh be quashed and the accused be acquitted. There are 9 accused in this case. No accused is a proclaimed person. ”

Learned State counsel as well as learned counsel for respondents No.2, 4 and 5 have 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.120 dated 16.08.2014 under Sections 452, 323, 506, 148, 149 IPC, registered at Police Station Bhawanigarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 11.08.2017 (Annexure P-2).

November 30, 2017
m. sharma

(HARI PAL VERMA)
JUDGE

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