

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

243

CRM-M-37943-2017

Date of Decision: 13.11.2017.

Jaswinder Singh @ Gugri

....Petitioner.

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Manish Kumar Singla, Advocate for the petitioners.

Ms. Bhavna Gupta, Deputy Advocate General, Punjab.

Mr. Dinesh Kumar, Advocate for respondents No.2 and 3.

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.123 dated 28.07.2017 registered under Section 306 of the Indian Penal Code, at Police Station Dirba, District Sangrur, on the basis of compromise dated 26.09.2017 (Annexure-P2).

On presentation of the petition, vide order dated 11.10.2017 passed by this Court, the parties were directed to appear before the trial Court/Illaq Magistrate for recording their statements with a direction to the trial Court/Illaq Magistrate to furnish a report qua veracity thereof, if any, between the parties.

Consequently, the parties had appeared before the Judicial Magistrate Ist Class, Sunam on 17.10.2017 and got recorded their statements. Report from the concerned Magistrate has been received vide

letter bearing No.259 dated 26.10.2017 duly forwarded by learned District and Sessions Judge, Sangrur vide Endst.No.7078/EB dated 28.10.2017.

According to the report of Judicial Magistrate Ist Class, Sunam, the parties have arrived at compromise with their free volition, without any inducement, threat, promise, coercion or undue influence from any quarter. Apparently, the compromise has been genuinely arrived at to eliminate bitterness and acrimony between the parties and in order to restore cordial relations.

Learned counsel for the petitioner, referring to the judgment dated 24.07.2017 passed in CRM-M-13623-2016 'Mandeep Sharma and others vs. State of Punjab and another' and judgment dated 19.07.2017 in CRM-M-43958-2016 'Rahul Sharma and others vs. State of Punjab and another'; judgment dated 03.07.2017 in CRM-M-6676-2017 'Hardam Singh vs. State of Punjab and another'; judgment dated 30.03.2017 in CRM-M-565-2017 'Manjinder Pal Singh vs. State of Punjab and another'; judgment dated 23.12.2015 in CRM-M-39175-2015 'Hira Lal & Ors. vs. State of Punjab & Ors.'; judgment dated 27.01.2015 in CRM-M-37594-2014 'Davinder Singh vs. State of Punjab and another'; judgment dated 11.01.2015 in CRM-M-16359-2015 'Sushma Arora & others vs. State of Punjab & others'; judgment dated 30.09.2014 in CRM-M-27752-2013 'Jiwan Jhanji vs. State of Punjab and another'; judgment dated 25.03.2013 in CRM-M-6055-2012 'Meenu @ Sonia and others vs. State of Punjab and others'; and judgment dated 16.09.2009 in CRM-M-14560-2009 'Boota Singh and others vs. State of Punjab and others', contends that this Court as well as co-ordinate Benches have quashed the F.I.R. registered under Section 306 IPC.

In view of the totality of the facts and circumstances and the aforesaid judgments as well as 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.123, is quashed qua the petitioner.

(RAMENDRA JAIN)
JUDGE

13.11.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No