

In the High Court of Punjab and Haryana at Chandigarh

Criminal Misc. No. M-3950 of 2017

Date of Decision: 11.9.2017

Angrej Singh and others

.....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. R.S.Sekhon, Advocate
for respondents No. 2 and 3.

HARI PAL VERMA, J. (ORAL)

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of cross case bearing Rapat No. 27 dated 6.10.2016 under Section 324, 323, 427, 34 IPC, registered at Police Station Arif Ke in F.I.R. No. 225 dated 7.10.2016 under Section 452, 323, 148, 149 IPC and Section 295-A IPC (added later on), registered at Police Station Sadar Ferozepur, District Ferozepur and all subsequent proceedings arising therefrom on the basis of compromise dated 18.10.2016 (Annexure P-3).

This Court vide order dated 07.2.2017 had directed the parties to appear before the Area Magistrate to get their statements recorded and the Area Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

Learned Additional Chief Judicial Magistrate, Ferozepur and got their

statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.2.2017 to the effect that the compromise arrived at between the parties is genuine, voluntary and without any kind of undue influence and pressure.

Respondent No. 2-complainant, namely, Baljinder Singh has made his statement with regard to compromise before learned Magistrate on 16.02.2017. The same is reproduced as under:-:-

“The present case/rapat was got registered on my statement against the accused persons namely Angrej Singh, Joginder Singh and Sahib @ Sarabjit Singh. Now I have arrived at a compromise with the accused party with the intervention of the respectables. The compromise is without any kind of undue influence or pressure. No other person except the persons named above is party to the present case or involved in the present case. I have no objection if the present FIR/rapat be quashed.”

Apart from the above, respondent No. 3-Rajinder Singh @ Arjinder Singh who is the injured in this case has also suffered a similar statement whereby he has shown no objection if the cross-version recorded in the FIR in question is quashed.

Learned State counsel as well as learned counsel appearing on behalf of respondents No. 2 and 3 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 DDR.

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 cross case bearing Rapat No. 27 dated 6.10.2016 under Section 324, 323, 427, 34 IPC, registered at Police Station Arif Ke in F.I.R. No. 225 dated 7.10.2016 under Section 452, 323, 148, 149 IPC and Section 295-A IPC (added later on), registered at Police Station Sadar Ferozepur, District Ferozepur and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise.

(HARI PAL VERMA)
JUDGE

September 11, 2017
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No