

In the High Court of Punjab and Haryana at Chandigarh

Criminal Misc. No. M-3953 of 2017

Date of Decision: 11.9.2017

Amrik Singh and others

.....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. R.S.Sekhon, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

None 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 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 (Annexure P-1) 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.

Though no one has put in appearance on behalf of respondent No. 2-complainant, namely, Angrej Singh but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 16.02.2017. The same is reproduced as under:-

“The present case was got registered on my statement against the accused persons namely Amrik Singh, Kashmir Kaur, Baljinder Singh, Rajinder Singh, Surinder Singh, Bohar Singh, Jarnail Singh and Nirvair 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 be quashed.”

Apart from the above, respondent No. 3-Joginder Singh who is the injured in this case, also suffered a similar statement that he has shown no objection to the FIR being quashed.

Learned State counsel does not dispute 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)**.

under Section 452, 323, 148, 149 IPC and Section 295-A IPC (added later on), registered at Police Station Sadar Ferozepur, District Ferozepur (Annexure P-1) 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