

274.

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

CRM-M-40332-2017

Date of decision:14.12.2017.

SUKHWINDER SINGH & BOBBY & ORS

... Petitioners

Versus

STATE OF PUNJAB & ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rahul Bhargava, Advocate,
for the petitioners.

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

Mr. Ruhani Chadha, Advocate,
for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.465 dated 09.12.2014 under Sections 323, 324, 341, 148, 149 of IPC (Sections 325, 326 of IPC were added lateron), registered at Police Station Civil Lines, Amritsar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 19.09.2017 (Annexure P-3).

This Court vide order dated 30.10.2017 had directed the parties to appear before the trial Court/Illaq Magistrate 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, Amritsar and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 13.12.2017 to the effect that the compromise has been effected between the parties without any pressure or coercion.

Respondent No.2-complainant, namely, Kabir Singh has made his statement with regard to compromise before learned Magistrate on 13.11.2017. The same is reproduced as under:-

“I have registered one FIR No.465 dated 09.12.2014 u/s 323/324/325/326/341/148/149 IPC Police Station Civil Line against Sukhwinder Singh @ Bobby s/o Mohinder Singh, Hardeep Singh s/o Kuldeep Singh, Vishal Kumar @ Buri, Vikram Joshi @ Sunny s/o Parshotam Lal in which Ganga Singh s/o Hardial Singh was injured in this present FIR. Now with the intervention of the respectables we have entered into the compromise with each other. I give this statement with the voluntarily without any coercion or undue influence. Now there is no dispute between us and as per compromise entered into between the parties, FIR in question and consequent proceeding may be quashed. ”

Apart from above, a similar statement has been made by the injured-respondent No.3, namely, Ganga Singh, whereby he has shown no objection to the FIR being quashed.

Learned State counsel as well as learned counsel for 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 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.465 dated 09.12.2014
under Sections 323, 324, 341, 148, 149 of IPC (Sections 325, 326 of IPC
were added lateron), registered at Police Station Civil Lines, Amritsar
(Annexure P-1) and all subsequent proceedings arising therefrom are
quashed qua the petitioners on the basis of compromise dated 19.09.2017
(Annexure P-3).

(HARI PAL VERMA)
JUDGE

14.12.2017
sanjeev

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