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

**CRM-M-45641-2016**

Date of decision:26.07.2017

RESHAM SINGH & ORS

... Petitioners

versus

STATE OF PUNJAB & ORS

.... Respondents

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

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Present: Mr. A.P.S. Sandhu, Advocate,  
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab,  
for respondent No.1.

Mr. Shalender Nagpal, Advocate,  
for respondents No.2 and 3.

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**HARI PAL VERMA, J.(Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0107 dated 28.07.2016 under Sections 326, 323, 341, 148 and 149 IPC, registered at Police Station Beas, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise in the shape of affidavits of respondents No.2 and 3 dated 07.10.2016/26.11.2016-Annexure P-2 (colly).

This Court vide order dated 22.12.2016 had directed the parties to appear before the Chief Judicial Magistrate/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 Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 17.02.2017 to the effect that the compromise has been effected between the petitioners/accused and complainant voluntarily, out of their free will and without any pressure or coercion and the same appears to be genuine one.

Respondent No.2-complainant, namely, Amarbir 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 has been registered on my statement against eight accused persons namely Resham Singh son of Jagir Singh, Rajwinder Singh son of Jagir Singh, Jagir Singh son of Mohinder Singh, Joginder Kaur wife of Jagir Singh all residents of village House no.370 village Sathiala, Tehsil Baba Bakala, District Amritsar, Manjit Kaur wife of Samraj Singh, r/o village Sathiala, Tehsil Baba Bakala, District Amritsar and Sukhwinder Singh son of Budh Singh r/o H.No.628, village Sathiala, Tehsil Baba Bakala, District Amritsar, Joginder Singh son of Sucha Singh, Baldev Singh son of Sucha Singh both residents of village Sathiala, Tehsil Baba Bakala, District Amritsar. Now the matter has been compromised with all the above said accused persons with the intervention of respectable persons of the village. I have no objection if the FIR No.107 of 2016 and subsequent proceedings arising out of said FIR

registered at Police Station Beas are quashed by the Hon'ble High Court. I do not want to take further action against the accused person. I have made this statement out of mine own free will, without any threat or pressure. Compromise with accused person have been effected out of mine own free will and without any kind of pressure from anyone. No criminal case is pending against me.”

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

Learned counsel for the petitioners states that though the complainant-respondent No.2, namely, Amarbir Singh has compromised the matter vis-a-vis all the accused, but since the whereabouts of Joginder Singh and Baldev Singh are not known, they have been impleaded as respondents No.4 and 5 respectively. Learned counsel appearing on behalf of complainant and injured i.e. respondents No.2 and 3 respectively, states that he has no objection in case the FIR in question is quashed qua the petitioners.

Learned State counsel has 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.0107 dated 28.07.2016 under Sections 326, 323, 341, 148 and 149 IPC, registered at Police Station Beas, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise in the shape of affidavits of respondents No.2 and 3 dated 07.10.2016/26.11.2016-Annexure P-2 (colly).

**(HARI PAL VERMA)**  
**JUDGE**

26.07.2017  
sanjeev

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