

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

CRM-M-46039-2016

Date of Decision: 17.02.2017

Hardeep Singh and others

.....Petitioners

vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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

Mr. K.S. Pannu, D.A.G., Punjab,
for respondent no. 1-State.

Mr. Amandeep Saini, Advocate,
for respondents no. 2 and 3.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, quashing of FIR No. 102 dated 07.11.2012, registered against petitioners no. 1 to 5 at Police Station Lakho Ke Behram, District Ferozepur, for the alleged commission of offences punishable under Sections 324/323/148/149 IPC, is sought to be quashed on the basis of a compromise arrived at between the petitioners-accused and the respondents.

Vide an order of this Court dated 22.12.2016, the parties were directed to appear before the Jurisdictional Magistrate/trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned trial Court has been sent to this Court. As per the report of the learned Judicial Magistrate Ist Class, Guruharsahai, petitioner no. 6, Jasbir Kaur, wife of Hardeep Singh, resident of village Dhani Pandta Wali Dakhli Hamad, District Ferozepur is not an accused in the FIR.

Learned counsel for the State has also, on query, stated on

instructions, that she has not been named as an accused in the report filed under Section 173 Cr.P.C., though she is the complainant in the cross-version to the FIR which is subject matter of the petition seeking quashing of that cross-version, i.e. CRM-M-/45927-2016.

Hence, learned counsel for the petitioners submits that the petition qua petitioner no. 6, Jasbir Kaur, may be dismissed as withdrawn.

Ordered accordingly qua petitioner no. 6.

In the report it is also stated that the respondents and the accused (petitioners), who are named in the FIR, i.e. petitioners no. 1 to 5, have suffered statements to the effect that the matter has been compromised without any fear or pressure on either of them.

In view of the above and keeping in view the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, keeping in mind the nature of the offences, in the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No. 102 dated 07.11.2012, registered against petitioners no. 1 to 5 at Police Station Lakho Ke Behram, District Ferozepur, for the alleged commission of offences punishable under Sections 324/323/148/149 IPC, along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

February 17, 2017
nitin

Whether speaking/reasoned

Yes

Whether Reportable

No.