

CRM-M-10505-2018 (O&M)

Date of decision : 29.08.2018

Lakhwinder Singh and others

.....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Deepak Gupta, Advocate
for the petitioner(s).

Mr. Jagmohan Ghumman, D.A.G., Punjab.

Mr. Vikas Garg, Advocate
for respondents No.2 and 3.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.76 dated 07.12.2011 registered under Sections 363, 366-A & 120-B of IPC at Police Station Sadiq, District Faridkot and the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Learned State counsel submits that the cancellation report has not been accepted by the Magistrate and sent back for the re-investigation and parties have settled their dispute.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is genuine, voluntary and without any kind of undue influence and coercion. The trial Court has also sent copies of statements of the parties.

Learned counsel for the State on instructions submits that petitioners are the only accused and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

(ANITA CHAUDHRY)
JUDGE

29.08.2018

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No