

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

**CRM-M-12150-2018
Date of decision:10.10.2018**

Varinder Singh @ Toni and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sarbjit Singh, Advocate
for the petitioners.

Mr. A.S. Sandhu, Addl. A.G., Punjab
for respondent No.1.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of FIR No.162 dated 27.11.2015 under Sections 323, 324, 148, 149 of Indian Penal Code, 1860 and Section 3 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, Police Station Beas, District Amritsar (Rural) and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 31.07.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

Report of Sub-Divisional Judicial Magistrate, Baba Bakala

Sahib, has been received to the effect that the statement of the complainant Karnail Singh and also of the petitioners/accused have been recorded qua the factum of compromise. Complainant-Karnail Singh has specifically deposed that he has compromised the matter with the accused with the intervention of respectable persons of village and he does want to take further action against the accused and has no objection if the FIR in question is quashed. The petitioners/accused also stated that they have compromised the matter with the complainant. The learned Sub-Divisional Judicial Magistrate, Baba Bakala Sahib has specifically opined that the parties have entered into compromised voluntarily out of their own free will and without there being any pressure or coercion.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.162 dated 27.11.2015 under Sections 323, 324, 148, 149 of Indian Penal Code, 1860 and Section 3 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, Police Station Beas, District Amritsar (Rural) and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

10.10.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No