

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

CRM-M-13478-2018 (O&M)

Date of Decision:- 30.7.2018

Jaswinder Singh @ Pinder and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Sukhpreet Kaur, Advocate, for the petitioners.

Mr. A.S.Sandhu, Addl. A.G. Punjab.

Ms. Suman Nandal, Advocate, for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (Oral)

The petitioners seek quashing of FIR No.149 dated 18.12.2012 under Sections 307, 323, 148, 149 IPC (later on charges were framed under Sections 148, 307, 149, 324, 323, 34 IPC), Police Station Bhogpur, District Jalandhar and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 3.4.2018 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 learned Additional District and Sessions Judge, Jalandhar has been received wherein it has been reported that statements of petitioners namely Jaswinder Singh @ Pinder, Lakhvir Singh, Kuldeep Singh, Amandeep Kaur and Mohinder Kaur as well as of Daljit Singh-

complainant and Jagtar Singh-injured have been recorded who have stated that they have compromised the matter and that Daljit Singh-complainant and Jagtar Singh-injured have no objection if the FIR is quashed.

It may here be mentioned that there was one more accused namely Gurjit Singh. Learned counsel for the petitioners has stated that accused Gurjit Singh has since expired.

It has specifically been reported by learned Additional District and Sessions Judge, Jalandhar that in his opinion the compromise effected between the parties appears to be genuine and statements suffered by them in this regard are bona fide and not result of any pressure or coercion etc. in any manner.

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 stands allowed and FIR No.149 dated 18.12.2012 under Sections 307, 323, 148, 149 IPC (later on charges were framed under Sections 148, 307, 149, 324, 323, 34 IPC), Police Station Bhogpur, District Jalandhar and all the consequent proceedings arising therefrom are hereby quashed.

July 30, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No