

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

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**CRM-M-16094-2016 (O&M)
Decided on : 24.05.2018**

Milkha Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present : Mr. L.S.Sidhu, Advocate for the petitioners.

Ms. Rajni Gupta, Senior DAG, Punjab.

Mr. D.S.Sidhu, Advocate for respondents No.2 and 3.

P.B.BAJANTHRI, J. (ORAL)

The petitioners have sought for quashing of FIR No.43 dated 01.07.2011 (Annexure P-2) under Section 447/427/506 IPC registered at Police Station Chohla Sahib, District Tarn Taran, on the basis of compromise dated 09.09.2015 (Annexure P-3) arrived at between the parties.

Learned counsel for the petitioners contends that FIR is an outcome of a trespass on the property and damage thereof and now aforesaid issue has been resolved. The injuries are on non-vital parts of the body of complainant.

This Court by the order dated 09.08.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements with regard to veracity of the compromise. The Chief Judicial Magistrate, Tarn Taran has sent his report dated 15.09.2017 wherein it is

stated that pursuant to the order of this Court, statements of the parties have been recorded. As per the statements, compromise had been effected without any fear or undue influence.

In view of the law laid down in “*Narinder Singh Vs. State of Punjab*” 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, petition is allowed and FIR No.43 dated 01.07.2011 (Annexure P-2) under Section 447/427/506 IPC registered at Police Station Chohla Sahib, District Tarn Taran, and all consequential proceedings arising therefrom, are hereby quashed subject to payment of litigation cost of Rs.2000/- by each of the petitioner to State of Punjab. Cost shall be remitted in the Home Department, State of Punjab.

(P.B. BAJANTHRI)
JUDGE

24.05.2018

pooja saini

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No