

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

CRM-M-17878-2018 (O&M)

Date of Decision:-12.11.2018

Raman Kumar and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Suneet Pal Singh Aulakh, Advocate for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Gurinder Singh Dhillon, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.053 dated 7.4.2018 registered under Sections 323, 452, 427, 506, 148 and 149 of Indian Penal Code, 1860 at Police Station Machhiwara, Police District Khanna, District Ludhiana and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 10.8.2018, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Samrala has been received, wherein it has been reported that the statements of petitioners/accused Raman Kumar son of Hira Lal, Kuldeep Kumar son of Om Parkash, Sanjeev Kumar son of Kuldeep Kumar and Pirthy Singh @ Jhata son of Kamaljeet Singh as well as of complainant Raksha Devi wife of

Subhash Chander have been recorded to the effect that they have compromised the matter amongst themselves and that they have no objection in case the FIR in question is quashed. It has specifically been opined by learned Judicial Magistrate 1st Class, Samrala that the parties have entered into compromise voluntarily and without there being any pressure, coercion, inducement or undue influence.

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.053 dated 7.4.2018 registered under Sections 323, 452, 427, 506, 148 and 149 of Indian Penal Code, 1860 at Police Station Machhiwara, Police District Khanna, District Ludhiana and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

12.11.2018

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(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking Yes / No

Whether reportable Yes / No