

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

**CRM-M-17678-2017
Date of decision:30.5.2018**

Prem Kumar and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Aarti, Advocate
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab
for respondent No.1 assisted by
ASI Sajjan Singh.

Mr. Rajeev Sharma, Advocate
for respondent No.2

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.183 dated 5.6.2015 under Sections 323, 324, 341, 506, 120-B and 34 of the Indian Penal Code ('IPC' - for short) registered at Police Station City Khanna, District Ludhiana, Punjab on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide orders dated 19.5.2017 and 14.5.2018 to appear before the learned Illaqa Magistrate/trial Court and get their statements recorded and in pursuance thereof, learned Sub-Divisional Judicial Magistrate, Khanna, recorded the statements of both the parties and submitted a report dated 29.5.2018, operating part of the same is as under:-

“From the perusal of statement of parties, it transpires that the matter has been compromised between the parties with the own free will, without any pressure and coercion. As per the report of ahlmad no accused persons has been declared as proclaimed offender in the present case”.

A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. No objection has been raised by the learned State counsel on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

5. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace and tranquillity and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the aforesaid

FIR and all consequential proceedings resulting therefrom qua petitioner(s) are quashed .

6. Petition is allowed.

30.5.2018
Gaurav Sorot

(MAHABIR SINGH SINDHU)
JUDGE

- | | | |
|----|------------------------------|------------|
| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |