

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

CRM-M-19024-2018 (O&M)

Date of Decision:-14.8.2018

Nachhattar Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kawaljot Singh, Advocate for the petitioners.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. Yagyaang Ajay, Advocate for respondents No.2 to 5.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of DDR No.32 dated 1.5.2007 registered under Sections 323, 148 and 149 of Indian Penal Code, 1860 which is a cross-version in FIR No.50 dated 1.5.2007 registered under Sections 324, 323 and 34 of Indian Penal Code, 1860 at Police Station Mehna, District Moga and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 7.5.2018, the parties had been directed to appear before the Illaqa Magistrate so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Moga has been received, wherein it has been reported that the statements of petitioners and also of respondents No.2 to 5 have been recorded to the effect that they have compromised the matter amongst themselves and have no objection

in case the FIR in question is quashed. It has specifically been opined that the parties have entered into compromise voluntarily and free from any duress or inducement.

It has been informed by the learned State counsel upon instructions from Head Constable Davinderjit Singh that another accused namely Balwant Singh has already expired.

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 present petition is allowed and DDR No.32 dated 1.5.2007 registered under Sections 323, 148 and 149 of Indian Penal Code, 1860 in FIR No.50 dated 1.5.2007 registered under Sections 324, 323 and 34 of Indian Penal Code, 1860 at Police Station Mehna, District Moga and all the consequent proceedings arising therefrom are hereby quashed.

14.8.2018

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(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking Yes / No

Whether reportable Yes / No