

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

CRM-M-19892-2018 (O&M)

Date of Decision:- 14.12.2018

Om Parkash Shastri

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Umesh Aggarwal, Advocate, for the petitioner.

Ms. Ruchika Sabbherwal, AAG, Punjab.

Mr. Prateek Sodhi, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 28 dated 4.4.2015, registered at Police Station D Division, Amritsar City, under Sections 279, 337, 338 and 427 IPC and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 25.5.2018 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.

Report of learned Judicial Magistrate 1st Class, Amritsar has been received to the effect that statement of complainant Simarjit Singh, injured Pritpal Singh and also of petitioner/accused Om Parkash Shastri have

been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that he has no objection if the FIR in the present case is quashed. The learned Judicial Magistrate 1st Class, Amritsar opined that the parties have entered into the compromise voluntarily, without there being any coercion or undue influence, being outcome of their free will and consent.

In view of the aforesaid report 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. 28 dated 4.4.2015, registered at Police Station D Division, Amritsar City, under Sections 279, 337, 338 and 427 IPC and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

December 14, 2018
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No