

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

**CRM-M-19899-2018
Date of decision:11.09.2018**

Kulwinder Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajesh Gupta, Advocate
for the petitioners.

Mr. A.S. Sandhu, Addl. A.G., Punjab
for respondent No.1.

Mr. Gulzar Mohamad, Advocate
for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks quashing of FIR No. 64 dated 30.03.2014 under Sections 323, 324, 506, 149 of Indian Penal Code, 1860, Police Station Sahnewal, District Ludhiana and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

One of the petitioner i.e. petitioner No.4-Rupinder Singh had earlier been declared a proclaimed offender. Vide order dated 12.07.2018, the order declaring petitioner No.4 as proclaimed offender has been set aside.

Vide order dated 12.07.2018 the parties had been directed to

appear before the trial Court so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned Judicial Magistrate Ist Class, Ludhiana has been received to the effect that statements of complainant Gurdeep Singh and also of injured Baljit Kaur widow of Late Ravinder Singh have been recorded to the effect that they have compromised the matter with the accused and that they have no objection in quashing of the FIR. Baljit Kaur has also stated that her husband was eye-witness who has since expired. Statements of accused namely Kulwinder Singh, Satwant Singh, Paramjit Kaur, Rupinder Singh through his father being attorney and Sewa Singh have also been recorded to the effect that the matter stands compromised. The learned learned Judicial Magistrate Ist Class Ludhiana has specifically opined that the matter has been compromised voluntarily and compromise is genuine.

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. 64 dated 30.03.2014 under Sections 323, 324, 506, 149 of Indian Penal Code, 1860, Police Station Sahnewal, District Ludhiana and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

11.09.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No