

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

(236)

Crl. Misc. No.M-19091 of 2017 (O&M)

Date of Decision: January 11, 2018

Mahna Singh and others

...Petitioners

Versus

The State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Balbir Singh Jaswal, Advocate, for the petitioners.

Mr. Bhupender Beniwal, DAG, Punjab.

Ms. Kaavya Jariyal, Advocate, for respondent no.2.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, FIR No.45 dated 30.07.2013, registered against the petitioners at Police Station Jhandair, District Amritsar, for the alleged commission of offences punishable under Sections 452, 427, 148, 149 IPC, is sought to be quashed on the basis of a compromise arrived at between the petitioners-accused and respondent no.2, i.e. the complainant.

Vide an order of this Court dated 25.05.2017, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Sub-Divisional Judicial Magistrate, Ajnala, has been sent to this Court, stating to the effect that the complainant, i.e. respondent no.2 (Gurdev Singh), suffered a statement before that Court that he has compromised the matter

with all the 16 accused in the FIR, after which the petitioners, i.e. the accused, also got recorded their statements, before that Court, to the same effect. As per the assessment of the learned Magistrate, the compromise arrived at between the parties is of their free will and without any kind of pressure or coercion.

In view of the above and keeping in view the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, in the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No.45, dated 30.07.2013, registered against the petitioners at Police Station Jhandair, District Amritsar, for the alleged commission of offences punishable under Sections 452, 427, 148, 149 IPC, along with all proceedings emanating therefrom, is hereby quashed.

January 11, 2018
vcgarg/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.