

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

CRM-M-20060-2017

Date of decision:13.07.2018

Harbhajan Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. R.P.S. Cheema, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab
for respondent No.1.

Mr. P.B.S. Goraya, Advocate
for respondents No.2 to 6.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of DDR No.27 dated 09.08.2016 under Sections 326, 324, 325, 382, 452, 148, 149 of the Indian Penal Code, 1860 registered at Police Station Beas District Amritsar Rural as cross case in FIR No. 116 dated 07.08.2016 under Sections 326, 324, 325, 323, 382, 148, 149 of the Indian Penal Code, 1860, Police Station Beas, District Amritsar Rural and proceedings emanating therefrom on the basis of a compromise having been effected

between the parties.

Vide order dated 01.06.2017 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded.

Report of learned Sub-Divisional Judicial Magistrate, Baba Bakala Sahib has been received wherein it has been reported that the statements of the complainant-Hardeep Singh had been recorded wherein he has stated that the present case had been registered against Harbhajan Singh, Balwant Singh, Kuldeep Singh, Harpreet Singh, Gurpreet Singh, Gurdeep Singh, Manjit Singh, Baldev Singh, Gagandeep Singh, Tarsem Singh, Nirmal Singh, Jagjit Singh and that now the matter has been compromised amongst them with the intervention of respectable persons of the society and that he has no objection in case FIR No.116 of 2016 and also the subsequent proceedings arising out of the FIR in question are quashed.

To a similar effect is the joint statement of the affected persons arrayed as respondents No.3 to 6 namely Daulat Singh Sarpanch, Parminder Singh, Jasvir Singh and Ravinder Singh had been recorded. Statements of the petitioners had also been recorded, who have also stated to a similar effect.

It may here be mentioned that though the complainant and other affected persons have not specifically mentioned the particulars of DDR in respect of the cross-case, but upon perusal of their statements, this Court is satisfied that they have compromised the matter with the opposite party, especially bearing in mind the fact that this Court is today

seized of another quashing petition filed by opposite party which has also been compromised.

It has specifically been opined by learned Sub-Divisional Judicial Magistrate, Baba Bakala Sahib that the compromise is genuine and has been effected voluntarily, out of their free will and without there being any undue influence or coercion.

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 DDR No.27 dated 09.08.2016 under Sections 326, 324, 325, 382, 452, 148, 149 of the Indian Penal Code, 1860 registered at Police Station Beas District Amritsar Rural as cross case in FIR No. 116 dated 07.08.2016 under Sections 326, 324, 325, 323, 382, 148, 149 of the Indian Penal Code, 1860, Police Station Beas, District Amritsar Rural and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

13.07.2018
Gaurav Sorot

Whether reportable? Yes / No

Whether reasoned / speaking? Yes / No