

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

CRM-M-21687-2018 (O&M)

Date of Decision:-24.7.2018

Damanjit Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Arnav Kumar Sood, Advocate for the petitioners.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

The petitioners seek quashing of FIR No.0067 dated 3.4.2018 registered under Sections 452, 379, 427, 323, 148 and 149 of the Indian Penal Code, 1860 at Police Station Division No.2, Ludhiana and all criminal proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

The learned counsel for the petitioners has, however, stated at the outset that petitioner No.3 Jagdip Sing Rinkal has expired.

The learned State counsel upon instructions from Head Constable Bhupinder has confirmed the aforesaid fact and has stated that Jagdip Singh Rinkal has been murdered a few days back.

Vide order dated 21.05.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded as regards the genuineness of the compromise.

Report of learned Judicial Magistrate 1st Class, Ludhiana has been received who has stated that he has recorded statements of complainant

Mangal Singh and also of three of the four accused namely Damanjit Singh, Ramanjot Singh and Paramjit Singh, who have all stated that the matter stands compromised amongst the parties. It has specifically been opined that the parties have entered into compromise out of their free Will and without any inducement or any 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 present petition is allowed and FIR No.0067 dated 3.4.2018 registered under Sections 452, 379, 427, 323, 148 and 149 of the Indian Penal Code, 1860 at Police Station Division No.2, Ludhiana and all the consequent proceedings arising therefrom are hereby quashed.

24.7.2018

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No