

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

CRM-M-20869-2017 (O&M)

Date of Decision:-24.7.2018

Kushal Kumar and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dheeraj Mahajan, Advocate for the petitioners.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. Randeep Singh, Advocate for

Mr. G.S. Simble, Advocate for respondents No.2 and 3.

GURVINDER SINGH GILL, J.(Oral)

The petitioners seek quashing of FIR No.85 dated 25.5.2017 registered under Sections 365, 120-B, 427 and 451 of Indian Penal Code, 1860 at Police Station Dinanagar, District Gurdaspur and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 23.1.2018 the parties had been directed to appear before the trial Court on 25.1.2018 so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Gurdaspur has been received, wherein it has been recorded that statements complainant Jaswant Singh and also of victim Nishan Kumar apart from the statements of accused Kushal Kumar, Varinder Kumar, Suraj Kumar and Mangal Singh have been recorded, who have all stated that they have compromised the

matter amongst them. It has specifically been opined that the parties have effected the compromise voluntarily and without there being any coercion or undue influence.

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.85 dated 25.5.2017 registered under Sections 365, 120-B, 427 and 451 of Indian Penal Code, 1860 at Police Station Dinanagar, District Gurdaspur and all the consequent proceedings arising therefrom are hereby quashed.

24.7.2018

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(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No