

268.

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

**CRM-M-22499-2018**

Date of decision:19.07.2018.

GURCHET SINGH AND ANOTHER

... Petitioners

Versus

STATE OF PUNJAB AND ANR

.... Respondents

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

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Present: Mr. Parminder Singh Kanwar, Advocate,  
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab,  
for respondent No.1.

Mr. Amit Arora, Advocate,  
for respondent No.2.

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**HARI PAL VERMA, J.** (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.9 dated 31.01.2018 registered under Sections 341, 364, 506, 148, 149 IPC and Section 25 of Arms Act, 1959 at Police Station Jhabal, Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 13.02.2018 (Annexure P-2).

This Court vide order dated 25.05.2018 had directed the parties to appear before the Illaqa Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Additional Chief Judicial Magistrate, Tarn Taran and got their

statements recorded. On the basis of statements so recorded, learned Magistrate has submitted report dated 15.06.2018 to the effect that the compromise has been effected between the parties without any sort of pressure, threat or coercion from any corner.

Respondent No.2-complainant, namely, Baljinder Singh has made his statement with regard to compromise before learned Magistrate on 12.06.2018. The same is reproduced as under:-

“Stated that I am complainant in the present case. I and accused Gurchet Singh @ Kaka S/o Salwinder Singh and Avtar Singh S/o Salwinder Singh both R/o Village Bhure Gill Tehsil & District Tarn Taran, have effected the compromise and I am satisfied with the compromise. The compromise effected between me and Gurchet Singh @ Kaka S/o Salwinder Singh and Avtar Singh S/o Salwinder Singh both R/o Village Bhure Gill Tehsil & District Tarn Tarn, is with our free and sweet will and without any pressure. As per our compromise I do not want to further proceed in the present case against above said accused Gurchet Singh @ Kaka and Avtar Singh. If, the present case as well as the proceedings arising from the above said FIR are quashed and above said accused Gurchet Singh @ Kaka S/o Salwinder Singh and Avtar Singh S/o Salwinder Singh both R/o Village Bhure Gill Tehsil & District Tarn Tara acquitted/discharged from the present case, I have no objection for the same. The present compromise effected between us is without any pressure or coercion and it is genuine one. None of any accused is declared proclaimed offender.”

Learned State counsel as well learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble

**SCC 303**, this petition is allowed and F.I.R. No.9 dated 31.01.2018 registered under Sections 341, 364, 506, 148, 149 IPC and Section 25 of Arms Act, 1959 at Police Station Jhabal, Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 13.02.2018 (Annexure P-2).

**(HARI PAL VERMA)**  
**JUDGE**

19.07.2018  
sanjeev

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|----------------------------|--------|
| Whether speaking/reasoned? | Yes/No |
| Whether reportable?        | Yes/No |