

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

CRM-M-22978-2016

Date of Decision:15.05.2018

Vijay Singh and others

.....Petitioners

Vs.

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.P.P.S.Duggal, Advocate,
for the petitioners.

Mr. J.S.Walia, Senior Deputy Advocate General, Punjab assisted
by HC Balwinder Singh.

Ms.Meenu Jajoria, Advocate for
Mr.A.K.Dingra, Advocate for the respondent no.2.

AMOL RATTAN SINGH, J. (Oral)

By this petition, quashing of FIR No.82 dated 24.10.2010, is sought, registered against the petitioners at Police Station Kulgarhi, District Ferozepur, for the alleged commission of offences punishable under Sections 395/148/149 IPC and under Sections 25/27/54/59 of the Arms Act, and Criminal Case No.442 dated 08.04.2011, in which the petitioners have been summoned for the alleged commission of offences punishable under Sections 436/451/506 of the IPC, on the basis of a compromise arrived at between the petitioners (accused) and respondents no.2 and 3, with respondent no.2 being the complainant.

Vide orders of this Court dated 12.12.2016 and 01.03.2017, the parties were directed to appear before the trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid orders, the report of the learned Judicial Magistrate Ist Class, Ferozepur, has been received, to the effect that the statements of the petitioners as also of respondents no.2 and 3, i.e. complainant Balwinder Singh and the eye witness Surjit Singh, have been recorded before that Court stating that the matter has been compromised

between them and the petitioners without any coercion and undue influence, and that they have no objection to the FIR being quashed.

As per the report of the learned Magistrate, the compromise has been entered into voluntarily.

Though the statements of the petitioners are not seen to have been recorded before that Court in respect of quashing of criminal Complaint no.06 dated 18.10.2014, however Mr.Duggal submits that the prayer of the petitioners themselves being to the effect that the said complaint be quashed, obviously their statements would be as given in the petition itself, supported by an affidavit of petitioner no.1.

Consequently, the petition is allowed and FIR No.82 dated 24.10.2010, registered against the petitioners at Police Station Kulgarhi, District Ferozepur, for the alleged commission of offences punishable under Sections 395/148/149 IPC and under Sections 25/27/54/59 of the Arms Act, and Criminal Case No.442 dated 08.04.2011, in which the petitioners have been summoned for the alleged commission of offences punishable under Sections 436/451/506 of the IPC, alongwith all consequential proceedings emanating therefrom, are hereby quashed.

May 15, 2018

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO