

267.

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

CRM-M-23308-2018

Date of decision:31.07.2018

GURWINDER SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vivek Gupta, Advocate,
for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional Advocate General,
Punjab, for respondent No.1.

Mr. Parshant Sethi, Advocate, for
Mr. C.S. Singh, Advocate,
for respondents No.2 & 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.22 dated 15.02.2018 registered under Sections 452/324/323/506/148/149 IPC at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 20.02.2018 (Annexure P-2).

This Court vide order dated 29.05.2018 had directed the parties to appear before the learned trial Court/Illaq 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 Judicial Magistrate Ist Class, Dhuri and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.07.2018 to the effect that the compromise effected between the parties is genuine, voluntarily and without any pressure or coercion.

Respondent No.2 & 3 are injured, whereas FIR was registered at the instance of respondent No.2- Lovejinder Singh. They have made a joint statement with regard to compromise before learned Magistrate on 02.07.2018. The same is reproduced as under:-

“Stated that an FIR no.22 dt. 15.02.2018 was registered against the accused persons under Section 452, 324, 323, 506, 148, 149 IPC, PS Sadar Dhuri on the statement of Lovejinder Singh. Now with the intervention of the elders, we have effected compromise with accused persons namely Gurwinder Singh, Ramandeep Singh, Kalu, Jagtar Singh and Gurkaran Singh with our own free will and without any outside pressure or coercion. This compromise has been effected between the parties in order to maintain peace and harmony. We have no objection if the present FIR be quashed on the basis of above stated compromise.”

Learned State counsel as well as learned counsel appearing on behalf of respondents No.2 & 3 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

Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.22 dated 15.02.2018 registered under Sections 452/324/323/506/148/149 IPC at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 20.02.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

31.07.2018
sanjeev

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