

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

**CRM-M-23466-2018
Date of decision:30.08.2018**

Gursewak Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ramandeep, Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab
for respondent No.1.

Mr. G.S. Bains, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of FIR No.127 dated 10.07.2017 under Sections 323, 324, 326, 506, 148, 149 of Indian Penal Code, 1860, Police Station City Samaana, District Patiala and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Reply by way of affidavit of Mr. Rajwinder Singh, PPS,

Deputy Superintendent of Police Circle Samana, District Patiala on behalf of respondent No.1 has been filed today by the learned State counsel, which is taken on record.

Vide order dated 29.05.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned Judicial Magistrate Ist Class, Samana, has been received to the effect that statements of complainant-Simranpal Singh and also of the accused/petitioners-Gursewak Singh, Beant Singh, Jaspinder Singh @ Dara Singh and Jaskaran Singh @ Ghudda have been recorded to the effect that they have compromised the matter with the intervention of respectables of the village. The complainant-Simranpal Singh has specifically stated that he has no objection in case FIR in question be quashed. The learned Magistrate has specifically opined that the parties have reached at the compromise voluntarily.

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 petition is allowed and FIR No.127 dated 10.07.2017 under Sections 323, 324, 326, 506, 148, 149 of Indian Penal Code, 1860, Police Station City Samaana, District Patiala and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

30.08.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No