

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

CRM-M-23525-2018
Date of decision:08.08.2018

Jasvir Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Satbir Rathore, Advocate
for the petitioner.

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

Mr. Chander Kant Thakur, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks quashing of FIR No.138 dated 13.12.2015 under Sections 323, 341, 506, 148, 149 of Indian Penal Code, 1860, Police Station Balongi, District SAS Nagar, Mohali and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

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, Kharar has

been received to the effect that statements of complainant-Raju and also of accused/petitioner-Jasvir Singh have been recorded to the effect that they have effected compromise. Complainant-Raju has stated that there is only one accused namely Jasvir Singh and that he has no objection if FIR is quashed as per compromise.

Statement of HC Charanjit Singh has also been recorded by learned Judicial Magistrate Ist Class, Kharar wherein he has stated that though as per his complaint, the complainant has stated that Jasvir Singh along with five unknown persons had issued threats and caused injuries to him but the names of the remaining five persons were not disclosed during the investigation and thus FIR was only registered against Jasvir Singh.

The learned Judicial Magistrate Ist Class, Kharar has specifically opined that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

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.138 dated 13.12.2015 under Sections 323, 341, 506, 148, 149 of Indian Penal Code, 1860, Police Station Balongi, District SAS Nagar, Mohali and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

08.08.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No