

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

274

CRM-M-227-2017 (O&M)

Date of decision: 14.02.2018

Amarjit and others

...PETITIONERS

VERSUS

State of Punjab and another

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

**Present: Mr. Jagjot S. Lalli, Advocate,
for the petitioners.**

**Mr. Kuldeep Singh, Sr. Deputy Advocate General, Punjab,
for the State.**

**Mr.D.S.Randhawa, Advocate,
for respondent No. 2.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for quashing of FIR No. 68 dated 11.07.2016 (Annexure P-1) under Sections 452/323/148/149/427/506 IPC (later on offence under Section 325 IPC added) registered at Police Station Lambran, District Jalandhar Rural and all consequential proceedings arising therefrom in the light of the compromise dated 30.09.2016 (Annexure P-2).

The case came up for hearing before this Court on 11.01.2017 when the following order was passed:-

“ Notice of motion.

Mr. Jasjeet Dhaliwal, Deputy Advocate General, Punjab
has put in appearance on behalf of respondent No.1-State.

Ms. Kamaljit Kaur, Advocate has put in appearance on

her own on behalf of respondent No.2 and filed her memorandum of appearance today in the Court. Same is taken on record.

In the light of contentions that the parties have since then effected compromise, they are directed to put in appearance before the Illaqa Magistrate, Police Station Lambran, District Jalandhar within 15 days from today to record their statements and the Illaqa Magistrate shall make report as to its satisfaction and submit it back before the next date of hearing. The Magistrate shall also intimate if any of the parties to this petition has been declared as Proclaimed Offender.

List on 26th May, 2017.”

In compliance with the said order, the parties appeared before the trial Court on 21.01.2017 and got recorded their respective statements. On the basis of the statements of the parties, the Judicial Magistrate, Ist Class, Jalandhar, has proceeded to submit his report dated 23.02.2017, according to which, all the seven accused, who are petitioners herein, are residents of Village Kohala, Police Station Lambra, District Jalandhar. The complainant has got injured. The parties have entered into a compromise, which is found to be genuine, voluntary, without any pressure, out of free will, duress and undue influence. The Court has found the said compromise to be genuine. None of the accused is a proclaimed offender.

Counsel for the petitioners as well as respondent No. 2, on the basis of the report of the Judicial Magistrate, Ist Class, Jalandhar, submit that the matter has been amicably resolved between the parties as none of

the parties are interested in pursuing the present dispute especially when, they are all residents of the same village and this compromise has been entered into because of the interference of the respectables and elders of the village. The interest of justice would be duly served by putting the dispute to an end. Counsel for the complainant-respondent No. 2 states that the complainant-respondent No. 2 has no objection to the quashing of the FIR and all consequential proceedings arising therefrom.

In view of the report of the Judicial Magistrate, Ist Class, Jalandhar, according to which, the compromise entered into between the parties is genuine and the parties are of the same village and have resolved their dispute amicably and keeping in view the ratio of the judgment of the Supreme Court in **Narinder Singh vs. State of Punjab**, 2014 (2) RCR (Criminal) 482 and Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052, the present petition is allowed. FIR No. 68 dated 11.07.2016 (Annexure P-1) under Sections 452/323/148/149/427/506 IPC (later on offence under Section 325 IPC added) registered at Police Station Lambran, District Jalandhar Rural and all consequential proceedings arising therefrom are hereby quashed.

February 14, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No