

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

**CRM-M-23754-2018
Date of decision:29.08.2018**

Gursharan Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ajaivir Singh, Advocate
for the petitioners.

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

Mr. Gagandeep Singh Virk, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks quashing of FIR No.36 dated 12.03.2018 under Sections 307, 506, 148, 149 of Indian Penal Code, 1860 and Section 25 & 27 of Arms Act, 1959 Police Station Bassi Pathana, District Fatehgarh Sahib and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 30.05.2018 the parties had been directed to appear before the Illaqa Magistrate so as to get the statements recorded

with regard to the genuineness of the compromise.

Report of learned Chief Judicial Magistrate, Fatehgarh Sahib has been received wherein it has been reported that statements of the petitioners – Gursharan Singh, Harsimran Singh, Rajinder Singh @ Jindra and Balwant Singh @ Bunty as well as of Balvir Singh-complainant have been recorded who have stated that they have compromised the matter and that complainant-Balvir Singh has no objection if the FIR is quashed. It has specifically been opined by learned Chief Judicial Magistrate, Fatehgarh Sahib that genuine and valid compromise has been effected between the parties which is without any pressure or undue influence of any manner upon either of the party.

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.36 dated 12.03.2018 under Sections 307, 506, 148, 149 of Indian Penal Code, 1860 and Section 25 & 27 of Arms Act, 1959 Police Station Bassi Pathana, District Fatehgarh Sahib and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

29.08.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No