

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

**250**

**CRM-M-24045-2016**

**Date of decision: 12.03.2018**

**Sukhwinder Singh and others**

**...PETITIONERS**

**VERSUS**

**State of Punjab and another**

**....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH**

**Present: Mr. Jashanjot Singh Uppal, Advocate,  
for the petitioners.**

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

**Mr. Manish Saini, Advocate,  
for Mr. D.K.Raheja, Advocate,  
for respondent No. 2.**

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

Prayer in this petition is for quashing of FIR No. 71 dated 17.11.2015 (Annexure P-1) under Sections 324/148/149 IPC (Section 325 IPC added later on) registered at Police Station Sandaur, District Sangrur and all consequential proceedings arising therefrom in the light of the compromise dated 09.07.2016 (Annexure P-2).

On 01.09.2016, when this case came up for hearing, the following order was passed:-

“ Heard.

Notice of motion.

On asking of the Court, Mr. C.S.Brar, Deputy Advocate

General, Punjab accepts notice on behalf of respondent No.1-

State.

Mr. D.K.Raheja, Advocate has put in appearance on his own on behalf of respondent No.2 and filed his Power of Attorney 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 Sandaur, District Sangrur 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 09.12.2016.”

In compliance with the order passed by this Court, the parties appeared before the JMIC/Illaqa Magistrate, Malerkotla on 14.09.2016 and got recorded their respective statements. In the light of the statements given by the parties, the learned JMIC, Malerkotla had formed an opinion that the compromise has indeed been entered into between the parties voluntarily and without any pressure, coercion and with the help of respectable persons.

In the light of the above, counsel for the petitioners states that the present petition be allowed. Counsel for respondent No. 2-complainant acknowledges the factum of compromise and further submits that the complainant has no objection in case the present petition is allowed in the light of the compromise dated 09.07.2016 (Annexure P-2) entered into between the parties.

Keeping in view the fact that the matter has been amicably

settled between the parties and the complainant has no objection to the present petition being allowed as the complainant is not interested in pursuing the matter any further 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 and Crl. Appeal No. 1723 of 2017 titled as **Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur vs. State of Gujarat and another**, decided on 04.10.2017, the present petition is allowed. FIR No. 71 dated 17.11.2015 (Annexure P-1) under Sections 324/148/149 IPC (Section 325 IPC added later on) registered at Police Station Sandaur, District Sangrur and all consequential proceedings arising therefrom are hereby quashed.

**March 12, 2018**

*pj*

**(AUGUSTINE GEORGE MASIH)  
JUDGE**

**Whether speaking/reasoned: Yes/No**

**Whether Reportable: Yes/No**