

CRM-M-24816-2016

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

CRM-M-24816-2016

Date of Decision: 16.02.2018

Sumit Khinder and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Amit Dhawan, Advocate,
for the petitioners.

Mr. Davinder Bir Singh, D.A.G., Punjab.

Mr. Sourabh Arora, Advocate,
for respondent no. 2.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, quashing of FIR No. 141 dated 26.07.2015 is sought, registered against the petitioners at Police Station Division No. 5, District Jalandhar, for the alleged commission of offences punishable under Sections 323, 324, 452, 148 and 149 IPC, on the basis of a compromise arrived at between the petitioners (accused) and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 02.12.2016, the parties were directed to appear before the learned Illaqa Magistrate to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Judicial Magistrate Ist Class, Jalandhar, has been sent to this Court, in which it is stated that the complainant, Akshay Ghulati (respondent no. 2) and the accused-petitioners have suffered statements to the effect that the matter has been

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compromised without any fear or pressure on either of them and the compliant (respondent no. 2 herein) has no objection if the FIR is quashed. Original statements of the petitioners (accused) and respondent no. 2 (complainant) have also been annexed with the report.

Learned counsel appearing for respondent no. 2 also does not deny the factum of the compromise.

Learned counsel for the State on instructions also submits that there is no other criminal case registered against the petitioners.

In view of the above, in the opinion of this Court, looking at the nature of the offences, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No. 141 dated 26.07.2015, registered against the petitioners at Police Station Division No. 5, District Jalandhar, for the alleged commission of offences punishable under Sections 323, 324, 452, 148 and 149 IPC, along with all proceedings emanating therefrom, is hereby quashed.

February 16, 2018
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.