

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

CRM-M-27015-2017 (O&M)

Date of Decision:-24.7.2018

Chuspinderbir Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashish Grover, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

Mr. Sudhir Paruthi, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks quashing of FIR No.178 dated 26.9.2012 registered under Sections 279, 337 and 338 of Indian Penal Code, 1860 at Police Station Kotwali, Bathinda and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 25.4.2018, the parties had been directed to appear before the trial Court/Illaq Magistrate on 16.5.2018 so as to get their statements recorded qua the factum of compromise.

Report of learned Additional Chief Judicial Magistrate(D), Bathinda has been received, wherein it has been recorded that the statement of complainant Kamal Sharma has been recorded, who has stated that with the intervention of respectable persons, the matter has been compromised with the accused and that he does not want to proceed against the accused. Statement of petitioner has also been recorded, who has also stated that the

matter has since been compromised. It has specifically opined that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

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 present petition is allowed and FIR No.178 dated 26.9.2012 registered under Sections 279, 337 and 338 of Indian Penal Code, 1860 at Police Station Kotwali, Bathinda and all the consequent proceedings arising therefrom are hereby quashed.

24.7.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No