

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

CRM-M-28448 of 2018

Date of Order: 01.10.2018

Gulshan Saini and Ors.

....Petitioners

Versus

State of Punjab and Anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Himanshu Monga, Advocate for the petitioners.

Mr. A.S. Sandhu, Addl.AG, Punjab.

Mr. R.K Arya, Advocate for respondent No.2.

GURVINDER SINGH GILL, J (ORAL)

By way of filing this petition, the petitioners seek quashing of cross version registered vide DDR No.29 dated 18.12.2017 under Section 323/34 IPC in FIR No.0056 dated 22.10.2017 registered under Sections 452/427/506/323/34 IPC registered at P.S Pathankot along with all consequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 11.7.2017, the parties had been directed to appear before the trial Court so as to get their statements recorded qua the factum of compromise. Report of learned Judicial Magistrate, Ist Class, Pathankot has been received to the effect that the statements of the complainant-Rakesh Kumar and also of the accused/petitioners have been recorded to the effect that they have compromised the matter with the intervention of respectables. The complainant Rakesh Kumar has categorically stated that he has compromised the matter with the petitioners/accused and he has no objection in case the cross version i.e.

DDR No.29 dated 18.12.2017 under Section 323/34 IPC in FIR No.0056

dated 22.10.2017 registered under Sections 452/427/506/323/34 IPC registered at P.S Pathankot is quashed. The learned Judicial Magistrate, Ist Class, Pathankot 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 report and in the light of 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 DDR No.29 dated 18.12.2017 under Section 323/34 IPC in FIR No.0056 dated 22.10.2017 registered under Sections 452/427/506/323/34 IPC registered at P.S Pathankot and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

Petition stands allowed.

October 01, 2018
manoj

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No