

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

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CRM-M No.27585 of 2017

Date of Decision: May 16th, 2018

Manpreet and others

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Manu Loona, Advocate
for the petitioners.

Mr. Kuldeep Singh, Senior Deputy Advocate General, Punjab.

Mr. B.B.S. Randhawa, Advocate
for respondent No.2.

AUGUSTINE GEORGE MASI, J. (ORAL)

Prayer in this petition filed under Section 482 of the Cr.P.C. is for quashing of FIR No.184 dated 22.09.2013 registered under Sections 452, 364, 307, 323, 341, 382, 148, 149 IPC and Section 25 of the Arms Act, at Police Station Sadar Jalalabad, District Fazilka, and all consequential proceedings arising therefrom, on the basis of a compromise dated 07.06.2017 (Annexure P-3).

On 20.02.2018, this Court directed the parties to appear before the trial Court/Illaq Magistrate on 12.03.2018 and get recorded their respective statements in pursuance to the compromise.

In compliance with the said order, parties appeared before the Judicial Magistrate Ist Class, Jalalabad (W) and their statements were recorded on 13.03.2018.

In pursuance to the said statements so recorded by the Judicial Magistrate Ist Class, Jalalabad (W), report dated 27.04.2018 has been submitted, wherein it has been finally opined that the compromise

which has been entered into between the parties is valid with free consent and genuine.

Counsel for the petitioners, in the light of the said report of the Judicial Magistrate Ist Class, Jalalabad (W), prays that the present petition be allowed and the FIR and all consequential proceedings arising therefrom may be quashed.

Counsel for the complainant does not oppose the prayer made by the counsel for the petitioners, rather acknowledges the same and accepts the factum of compromise dated 07.06.2017 (Annexure P-3).

In view of the above and keeping in view the report of the Judicial Magistrate Ist Class, Jalalabad (W), where it has been opined that the compromise which has been entered into between the parties is genuine and also keeping in view the fact that *CRM-M No.36220 of 2015* titled as *Ramdev Versus State of Punjab and another* decided on 01.12.2015 (Annexure P-2), where on a similar petition preferred by the co-accused of the petitioners on the basis of compromise, the FIR and the consequential proceedings arising therefrom have been quashed, the present petition requires to be allowed in same terms.

In view of the above and keeping in view the principles laid down by judgment of Supreme Court in *Madan Mohan Abbot Versus State of Punjab 2008 (2) RCR (Criminal) 429* and in *Criminal Appeal No.1723 of 2017* titled as *Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another*, decided on 04.10.2017, the present petition is allowed and FIR No.184 dated 22.09.2013 registered under Sections 452, 364, 307, 323, 341, 382, 148, 149 IPC and Section 25

of the Arms Act, at Police Station Sadar Jalalabad, District Fazilka, and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

May 16th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No