

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

CRM-M-28674 of 2018

Date of Order: 01.10.2018

Mandeep Pal Singh @ Mani

....Petitioner

Versus

State of Punjab and Anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

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

Mr. Ankush Thakral, Advocate for respondent No.2.

GURVINDER SINGH GILL, J (ORAL)

By way of filing this petition, the petitioners seek quashing of FIR No.126 dated 21.7.2012 registered under Sections 323/324/307/382/148/149 IPC registered at P.S Beas, District Amritsar along with all consequential 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. It may here be mentioned at the very outset, there were in fact four accused out of which two namely Ajju Masih and Milkha Singh had faced trial and stand acquitted vide judgment dated 21.5.2015 (P.3). Another accused namely Awarjit Singh @ Bau had been declared as proclaimed offender but is stated to have been arrested and that presently he

is facing trial. As far as the present petitioner is concerned, he had also been declared as proclaimed offender at one stage but had subsequently appeared and had been granted bail vide order dated 14.9.2015 by this Court in CRM-M-31034 of 2015. However learned State counsel on instructions from ASI Tejinder Singh, informs that the challan has not been presented against the present petitioner so far.

Vide order dated 12.7.2018, 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 Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar has been received to the effect that the statements of the complainant-Ranjit Singh and also of the accused/petitioner has been recorded to the effect that they have compromised the matter with the intervention of respectables. The complainant Ranjit Singh has categorically stated that he has compromised the matter with the petitioner/accused and he has no objection in case the FIR is quashed. The learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar 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 FIR No.126 dated 21.7.2012 registered under Sections 323/324/307/382/148/149 IPC registered at P.S Beas, District Amritsar and all the consequent proceedings arising therefrom are hereby quashed qua the

petitioner.

Petition stands allowed.

October 01, 2018
manoj

(GURVINDER SINGH GILL)
JUDGE

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