

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

CRM-M-28373-2017 (O&M)

Date of Decision:- 31.7.2018

Bhupinder Singh alias Bittu and others ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Karambir S. Kahlon, Advocate, for the petitioners.

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

Mr. Imran Farooqi, Advocate, for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 85 dated 28.9.2010 under Sections 457, 380, 506, 34 IPC, Police Station Ghanie Ke Bangar, District Batala and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 4.8.2017 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded.

Report of learned Judicial Magistrate 1st Class, Batala has been received wherein it has been reported that statements of the petitioners as well as of Narinder Singh-complainant and of his wife Harvinder Kaur who

is an eye witness had been recorded who have stated that they have compromised the matter and that Narinder Singh and Harvinder Kaur have no objection if the FIR is quashed. It has specifically been reported by learned Judicial Magistrate 1st Class, Batala that in his opinion the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

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 petition stands allowed and FIR No. 85 dated 28.9.2010 under Sections 457, 380, 506, 34 IPC, Police Station Ghanie Ke Bangar, District Batala and all the consequent proceedings arising therefrom are hereby quashed.

July 31, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No