

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

**CRM-M-28901-2017  
Date of decision:17.09.2018**

Avtar Singh @ Bau & others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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**CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL**

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Present: Mr. Brijesh Nandan, Advocate  
for the petitioners.

Mr. A.S. Sandhu, Addl. A.G., Punjab  
for respondent No.1.

Mr. Gagan Sharma, Advocate  
for respondents No.2 and 3.

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**GURVINDER SINGH GILL, J. (ORAL)**

The petitioner seeks quashing of FIR No. 363 dated 31.10.2012 under Sections 326, 323, 324, 148, 149 of Indian Penal Code, 1860, Police Station City Tarn Taran, District Tarn Taran and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 19.01.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned Chief Judicial Magistrate, Tarn Taran has

been received wherein it has been reported that statement of three accused Avtar Singh @ Bau, Manjit Singh and Balbir Singh @ Bholu and also of the complainant Umardeep Singh and injured Navdeep Singh have been recorded to the effect that they have compromised the matter voluntarily. Learned Chief Judicial Magistrate, Tarn Taran has specifically opined that compromise has been effected voluntarily and is genuine.

It may here be mentioned that in the FIR one of the accused is mentioned as Mannu s/o Balbir Singh but in the array of parties in the present petition, petitioner No.2 is Manjit Singh s/o Balbir Singh. However, both the learned counsel for the parties present in the Court i.e. learned counsel for the petitioners and learned counsel for the complainant and injured are agreed that in fact Manjit Singh s/o Balbir Singh is also known as Manu and they are one of the same person.

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 is allowed and FIR No. 363 dated 31.10.2012 under Sections 326, 323, 324, 148, 149 of Indian Penal Code, 1860, Police Station City Tarn Taran, District Tarn Taran and all the consequent proceedings arising therefrom are hereby quashed. It is clarified that Mannu s/o Balbir Singh and Manjit Singh s/o Balbir Singh are one and the same person.

( GURVINDER SINGH GILL)  
JUDGE

17.09.2018  
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No