

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

Crl. Misc. No.M-29597 of 2017 (O&M)

Date of Decision: January 11, 2018

Shamsher Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Chandeeep Singh, Advocate for the petitioners.
Mr. Bhupender Beniwal, DAG, Punjab
Mr. Ajay Kumar, Advocate, for
Mr. Sanjeev Kumar, Advocate for respondent nos.2 and 3.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, FIR No.145 dated 20.07.2011, registered against the petitioners at Police Station Samrala, Police District Khanna, for the alleged commission of offences punishable under Sections 452, 323, 148, 149 IPC, is sought to be quashed on the basis of a compromise arrived at between the petitioners-accused and respondents no.2 and 3, i.e. the complainants.

Vide an order of this Court dated 14.11.2017, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the aforesaid order, the report of the learned Sub-Divisional Judicial Magistrate, Samrala, has been sent to this Court, in which it is stated that statements of 5 of the 6 petitioners were recorded on

28.08.2017, with a supplementary report having been sent as regards the statement of Hardeep Singh @ Raju, petitioner no.3, having been recorded on 05.12.2017. The statements of the complainants, i.e. respondents no.2 and 3, Sarabjit Singh and Harjinder Kaur, are also stated to have been recorded, supporting the compromise, which as per the assessment of the learned Magistrate, is a “genuine compromise”.

In view of the above and keeping in view the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, in the opinion of this Court, it would be pointless to continue with criminal proceedings, the parties having fully compromised the matter of their own free will.

Consequently, the petition is allowed and FIR No.145 dated 20.07.2011, registered against the petitioners at Police Station Samrala, Police District Khanna, for the alleged commission of offences punishable under Sections 452, 323, 148, 149 IPC, along with all proceedings emanating therefrom, is hereby quashed.

January 11, 2018
vcgarg/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.