

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

**CRM-M-31764-2018
Date of decision:08.10.2018**

Baljit Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. A.P. Kaushal, Advocate
for the petitioners.

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

Mr. G.S. Sandhu, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of FIR No.40 dated 03.06.2018 under Sections 307, 506, 427, 148, 149 of Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, Police Station Mallanwala District Ferozepur and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 27.07.2018 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 Judicial Magistrate Ist Class, Zira has been received to the effect that statement of the complainant Kamaljit Singh has been recorded to the effect that he has compromised the matter with the accused with the intervention of respectables of the village and he has no objection in case, the FIR in question is quashed. To a similar effect are the statements of the petitioners/accused. Learned Judicial Magistrate Ist Class, Zira has specifically opined that the compromise has been effected voluntarily without any coercion or undue influence and is an outcome of free will and consent of the parties.

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.40 dated 03.06.2018 under Sections 307, 506, 427, 148, 149 of Indian Penal Code, 1860 and Section 25 and 27 of the Arms Act, Police Station Mallanwala District Ferozepur and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

08.10.2018
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No