

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

CRM-M-31806-2018 (O&M)

Date of Decision:- 22.10.2018

Daljeet Singh Brar and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sumeet Singh Brar, Advocate, for the petitioners.

Ms. Ruchika Sabbharwal, AAG, Punjab.

Mr. A.K.Kaushal, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 13 dated 28.2.2007 under Sections 323, 324, 452, 427, 148, 149 IPC, Police Station Dayalpura, Bathinda and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 27.7.2018 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, Phul has been received to the effect that statement of complainant Gurpreet Singh and also of petitioners/accused Daljeet Singh Brar, Binder Singh @ Sukhwinder

Singh, Inderjit Singh @ Bittu, Sukhpreet Inder Singh, Manjeet Inder Singh @ Meeta Master and Gurpreet Singh have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that he has no objection if the FIR in the present case is quashed. The learned Judicial Magistrate 1st Class, Phul has opined that the parties have entered into the compromise voluntarily, without there being any pressure, coercion or undue influence.

In view of the aforesaid report 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. 13 dated 28.2.2007 under Sections 323, 324, 452, 427, 148, 149 IPC, Police Station Dayalpura, Bathinda and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

October 22, 2018

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No