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

CRM-M-31972-2018

Date of decision:14.09.2018.

SHARANJIT SINGH AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sutikshan Sharma, Advocate,
for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional Advocate General,
Punjab, for respondent No.1.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0056 dated 18.10.2017 registered under Sections 323, 452, 506, 148, 149 IPC at Police Station Kotli Surat Mallian, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 25.12.2017 (Annexure P-2).

This Court vide order dated 30.07.2018 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Batala and got their statements

submitted report dated 04.09.2018 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without undue influence, coercion or threat.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Varinder Kundra, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 24.08.2018. The same is reproduced as under:-

“Stated that the present case having FIR No.56 dated 18.10.2017, Under Sections 323, 452, 506, 148, 149 of Indian Penal Code, Police Station, Kotli Surat Malhi, District Gurdaspur was registered against the accused persons namely Sharanjit Singh son of Balbir Singh, Makhan Singh son of Jaswant Singh, Lakhwinder Singh @ Bagga son of Kunan Singh, Sukhwinder Singh @ Dhali @ Sukhdev Singh son of Swaran Singh, Manga Masih @ Mangal Singh son of Binda Masih @ Balwinder Singh, Malkiat Singh @ Manga son of Sharam Singh, all residents of Village Basant Kot, Dhianpur, Tehsil Dera Baba Nanak, District Gurdaspur on my statement. Now I have compromised the matter with accused persons (petitioners) with the intervention of the respectables. I have no objection, if the present FIR may be quashed qua the above said persons. I have given my statement with my free will and without any coercion and any pressure. No any other litigation/proceeding is pending between me and accused persons in any court of law. I have not been declared proclaimed person/offender by any court of law.”

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and**

Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.0056 dated 18.10.2017 registered under Sections 323, 452, 506, 148, 149 IPC at Police Station Kotli Surat Mallian, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 25.12.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

14.09.2018
sanjeev

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