

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

CRM-M-3398-2018 (O&M)

Date of Decision:-28.9.2018

Gurvinder Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nagar Singh, Advocate for
Mr. Vikasdeep Singh, Advocate for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. A.S. Khinda, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.288 dated 2.10.2017 registered under Sections 323, 341, 506, 427, 148 and 149 of Indian Penal Code, 1860 at Police Station Sultanpur Lodhi, District Kapurthala and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 29.1.2018, the parties had been directed to appear before the Area Magistrate so as to get their statements recorded qua the factum of compromise.

Report of learned Sub-Divisional Judicial Magistrate, Sultanpur Lodhi, has been received to the effect that the statements of the complainant Gurnam Singh and also of the seven accused/petitioners have been recorded to the effect that they have compromised the matter amongst themselves.

In the present case, there are infact eight accused. The complainant Gurnam Singh, in his statement, has stated that he has compromised the matter with all the eight accused and that he has no

objection in case the FIR is quashed. To the similar effect are the statements of the petitioners as recorded by the learned Sub-Divisional Judicial Magistrate, Sultanpur Lodhi. The learned Sub-Divisional Judicial Magistrate, Sultanpur Lodhi has specifically opined that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

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 present petition is allowed and FIR No.288 dated 2.10.2017 registered under Sections 323, 341, 506, 427, 148 and 149 of Indian Penal Code, 1860 at Police Station Sultanpur Lodhi, District Kapurthala and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

28.9.2018

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No