

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

Sr. No.279-a

CRM-M-34197 of 2018

DECIDED ON: November 27, 2018

VIKTER SINGH AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vivek Salathia, Advocate, for the petitioners.
Mr. R.S. Bains, DAG, Punjab.
Mr. Amanbir Singh Dhillon, Advocate, for respondent No.2.

SUDHIR MITTAL, J. (ORAL)

The present petition has been filed for quashing of FIR No.246, dated 02.09.2015, registered under Sections 452, 365, 427, 506, 511, 148 & 149 IPC at Police Station City Tarn Taran, District Tarn Taran (P-1) on the basis of compromise.

Pursuant to the order of this Court dated 09.08.2018, although the Chief Judicial Magistrate, Tarn Taran, submitted his report dated 13.09.2018 to the effect that the parties having compromised the matter, have no objection in case FIR in question is quashed, but at the same time, submitted that the actual victim of the crime is Makhan Singh son of Teja Singh, who is not a party to the petition and in absence of his statement, the matter cannot be said to have been compromised.

A separate petition viz. CRM-M-34180 of 2018 has been filed by respondent No.2 and her husband for quashing of FIR No.270, dated 23.09.2015, registered under Sections 325, 323, 34 IPC (Section 342 IPC added later on) at Police Station City Tarn Taran, District-Tarn Taran (P-1), wherein Makhan Singh son of Teja Singh has been arrayed as respondent No.2/complainant and report dated 13.09.2018 submitted by the Chief

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Judicial Magistrate, Tarn Taran, in the said petition, statement of said Makhan Singh was stated to have been recorded, wherein he testified to have compromised the matter with Rajwant Kaur (respondent No.2) herein. Moreover, FIR No.246 dated 02.09.2015, ibid, is also interlinked with FIR No.270 dated 23.09.2015.

Thus, in view of the fact that petitioners and respondent No.2 have compromised the matter, which fact has been fortified from the report of the Chief Judicial Magistrate, Tarn Taran, dated 13.09.2018, instant petition is allowed and FIR No.246, dated 02.09.2015, registered under Sections 452, 365, 427, 506, 511, 148 & 149 IPC at Police Station City Tarn Taran, District Tarn Taran (P-1) along with all consequential proceedings having arisen therefrom, is quashed qua the petitioners.

November 27, 2018

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No