

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

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CRM-M No.33553 of 2017

Date of Decision: May 16th, 2018

Salwinder Singh and another

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Harchand Singh Batth, Advocate
for the petitioners.

Mr. Kuldeep Singh, Senior Deputy Advocate General, Punjab.

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

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition filed under Section 482 of the Cr.P.C. is for quashing of FIR No.232 dated 29.12.2011 registered under Sections 323, 324, 326 IPC at Police Station Patti, District Tarn Taran, and all consequential proceedings arising therefrom, on the basis of a compromise dated 10.01.2012 (Annexure P-2), which is duly supported by the affidavit (Annexure P-3) of the complainant.

The case came up for hearing before this Court on 11.09.2017, when the parties were directed to appear before the Illaqa Magistrate/ trial Court for recording of their respective statements with regard to the compromise/settlement referred to above.

In pursuance to and in compliance with the order passed by this Court, parties appeared before the Sub Divisional Judicial Magistrate, Patti, on 27.09.2017 and got recorded their respective statements.

In pursuance to the said statements, learned Sub Divisional Judicial Magistrate, Patti, has submitted its report dated 17.10.2017 to the

effect that the compromise entered into between the parties is genuine, voluntary and without any coercion or undue influence.

Counsel for the petitioners, in the light of the said report as also the compromise, which has been entered into between the parties, referred to above, prays that the present petition may be allowed and the FIR along with all consequential proceedings arising therefrom be quashed.

Counsel for the complainant acknowledges the factum of compromise and further states that the complainant has no objection to the quashing of the FIR and all consequential proceedings arising therefrom.

Keeping in view the above facts and since the matter has been amicably resolved between the parties, it would be in the interest of justice that the FIR and all consequential proceedings arising therefrom are quashed as the parties want to live peacefully.

In view of the above and keeping in view the principles laid down by judgment of Supreme Court in *Madan Mohan Abbot Versus State of Punjab 2008 (2) RCR (Criminal) 429* and in *Criminal Appeal No.1723 of 2017* titled as *Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another*, decided on 04.10.2017, the present petition is allowed and FIR No.232 dated 29.12.2011 registered under Sections 323, 324, 326 IPC at Police Station Patti, District Tarn Taran, and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

May 16th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No