

257.

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

CRM-M-34646-2018

Date of decision:12.11.2018.

DHARMINDER SINGH & ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANR.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Naveen Bawa, 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.199 dated 19.11.2017 registered under Sections 325/323/148/149 IPC at Police Station Lopoke, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 06.01.2018 (Annexure P-2).

This Court vide order dated 13.08.2018 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, Ajnala and got their statements

submitted report dated 10.09.2018 to the effect that the compromise has been effected between the parties voluntarily, without any pressure or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Harpartap Singh, but no prejudice would be caused to him as he has already made his statement with regard to compromise before learned Magistrate on 10.09.2018. The same is reproduced as under:-

“Stated that an FIR No.199 dated 19.11.2017 at Police Station Lopoke, U/s 325/323/148/149 of IPC was registered by me, against (1) Dharminder Singh S/o Ninder Singh 2) Harmanpreet Singh S/o Avtar Singh (3) Nirvail Singh @ Nirvair Singh S/o Mangal Singh (4) Ranjodh Singh S/o Davinder Singh all residents of village Kakar, Police Station Lopoke, Teh Ajnala, District Amritsar. Now with the intervention of respectables and relatives, I have entered into compromise with the above mentioned accused persons without any force, undue influence, coercion but voluntarily, out of my own free will. The matter has been compromised between me, and the accused persons, as such I do not want to proceed the present case against the above said accused persons. FIR no.199 dated 19.11.17 at Police Station Lopoke, U/s 325/323/148/149 of IPC against above said accused persons may kindly be quashed. Except the present accused no other person is arrayed as accused in the present FIR. I have brought my original Aadhaar Card today in the court and self attested copy is Ex.C1.”

Learned State counsel has not disputed the factum of

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 another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.199 dated 19.11.2017 registered under Sections 325/323/148/149 IPC at Police Station Lopoke, District Amritsar Rural (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 06.01.2018 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

12.11.2018
sanjeev/sunil devi

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