

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

**CRM-M-37110-2018
Date of decision:01.11.2018**

Gurinder Pal Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Rakesh Kumar, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of GD No.32 dated 23.10.2017 under Sections 323, 324 341, 148, 149 of Indian Penal Code, 1860, and offence under Section 326 of Indian Penal Code, 1860 which was added vide GD No.28 dated 28.10.2017, Police Station Fattu Dzinga, District Kapurthala and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 28.08.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned learned Sub-Divisional Judicial Magistrate, Sultanpur Lodhi has been received wherein it has been reported that statements of the petitioners as well as of complainant-Manjinder Singh have been recorded who have stated that they have compromised the matter with the intervention of respectables and that complainant has no objection if the FIR is quashed. It has specifically been opined by learned Magistrate that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

It has been informed by learned counsel for the petitioners that the FIR out of which the present cross-version has arisen has already been quashed vide order dated 15.10.2018 passed in CRM-M-37421-2018.

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 petition is allowed and GD No.32 dated 23.10.2017 under Sections 323, 324 341, 148, 149 of Indian Penal Code, 1860, and offence under Section 326 of Indian Penal Code, 1860 which was added vide GD No.28 dated 28.10.2017, Police Station Fattu Dyinga, District Kapurthala and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

01.11.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No