

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-3723-2018

Date of decision : 07.05.2018

Makhan and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Naveen Bawa, Advocate
for the petitioners.

Mr.J.S.Walia, Sr.DAG, Punjab.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.30 dated 27.01.2017, registered against the petitioners at Police Station Division no.6, Industrial Area, District Ludhiana City, alleging therein the commission of offences punishable under Sections 380, 451, 427, 148, 149, 323 IPC, (Sections 295, 298 IPC added and Section 427 IPC deleted later) is sought to be quashed, on the basis of a compromise arrived at between the petitioners (accused) and respondent no. 2, i.e. the complainant.

Pursuant to the orders of this Court dated 30.01.2018 and 09.03.2018, the report of the learned JMIC, Ludhiana, has been received, stating therein that the statement of the complainant, i.e. respondent no.2, Satwant Singh, was recorded before that Court in respect of the compromise effected between the parties, a copy of the affidavit of respondent no.2 already being on record as Annexure P-2, in support of the compromise.

The report further states that the statements of the petitioners,

i.e. accused Makhan and Lakhan, were also recorded before that Court, to the same effect.

As per the assessment of the learned Magistrate, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

Consequently, looking at the nature of the offences alleged to have been committed, with the complainant no longer aggrieved against the petitioners, with hopefully peace and harmony to be maintained hereinafter, the petition is allowed and FIR no.30 dated 27.01.2017, registered at Police Station Division no.6, Industrial Area, District Ludhiana City, alleging therein the commission of offences punishable under Sections 380, 451, 427, 148, 149, 323 IPC, (Sections 295, 298 IPC added and Section 427 IPC deleted later), along with all proceedings emanating therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

May 07, 2018.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No