

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

CRM-M-37026-2017

Date of Decision:- 15.10.2018

Balwinder Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S. Pheruman Advocate, for the petitioners.

Ms. Ruchika Sabherwal, Assistant Advocate General,
Punjab.

Mr. Tarundeep Kumar, Advocate for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 0074 dated 15.06.2017 under Sections 307, 341, 34 IPC read with Sections 25 & 27 of Arms Act, Police Station Raja Sansi, District Amrfitsar Rural and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 08.11.2017, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded.

Report of learned Judicial Magistrate Ist Class, Ajnala has been received to the effect that statement of complainant Karanbeer Singh and also of petitioners/accused Balwinder Singh, Major Singh and Rajan and Bhalli @ Harpal Singh have been recorded to the effect that they have

entered into a compromise. The complainant has specifically stated that he does not wish to pursue the case further. The learned Judicial Magistrate Ist Class, Ajnala has specifically opined that the parties have entered into the compromise voluntarily, without there being any threat or coercion.

In view of the aforesaid report 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 FIR No.0074 dated 15.06.2017 under Sections 307, 341, 34 IPC read with Sections 25 & 27 of Arms Act, Police Station Raja Sansi, District Amritsar Rural and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

October 15, 2018

jt

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No