

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

**CRM-M No.39001 of 2018 (O&M)
Date of Decision: 10.12.2018**

Mandeep Singh @ Deepa and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Deepak Bhardwaj, Advocate for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab
for respondent No.1/State.

Mr. G.S.Nahel, Advocate for
Mr. Gurmeet Singh, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition under Section 482 Cr.P.C. has been filed praying for quashing of FIR No.144 dated 24.10.2016 (**Annexure P-1**), under Sections 323, 324, 148 and 149 of the Indian Penal Code, registered at Police Station Rahon, District SBS Nagar along with all consequential proceedings arising therefrom on the basis of compromise entered into between the parties i.e. petitioners as well as respondent No.2.

This Court, while issuing notice of motion on 07.09.2018, passed the following order:-

“ *Heard.*

Learned counsel for the petitioners submits that the matter has since been amicably settled vide compromise, copy of which has been placed on file as Annexure P-2.

Notice of motion.

Mr. Gurmeet Singh Guri, Advocate has put in appearance on behalf of respondent No.2 and filed power of attorney.

Parties may appear before the trial Court on 16.10.2018 or on any other date convenient to the trial Court and get their statements recorded with regard to the compromise. The original compromise shall be produced before the trial Court. In the event of their statements being recorded, the trial Court will send copies of the same to this Court with its report:

- (i) regarding genuineness and voluntary nature of the compromise;*
- (ii) whether all the accused/petitioners are appearing before the Court or are on bail; and*
- (iii) whether any other proceeding is pending against the accused/petitioners.*

Report of trial Court be awaited for 10.12.2018. ”

In terms of above order, the statements of the parties were recorded by learned Chief Judicial Magistrate, SBS Nagar and submitted a report dated 04.12.2018. The operative part of the same reads as under:-

“ Accordingly, complainant/injured Balwant Singh, Balbir Kaur, Rajwinder Kaur, all residents of Mohalla Duglan, Rahon, P.S. Rahon, District Shaheed Bhagat Singh Nagar, identified by Sh. Harmesh Suman, Advocate appeared and made joint statement that FIR no.144 dated 24-10-2016 under Section 323/324/148/149 of the Indian Penal Code, Police Station Rahon was registered on the basis of their statement against accused Mandeep Singh @ Deepa son of Prem Singh, Prem Singh son of Ajit Singh, Kulwinder Singh son of Ajit Singh, Satnam Singh son of Prem Singh, Parminder Kaur wife of Kulwinder Singh, Sukhpal Kaur wife of Sandeep Singh, all residents of village Bhagauran, P.S. Sadar Nawanshahr, District Shaheed Bhagat Singh Nagar and Manjinder Kaur wife of Kulwinder Singh, resident of Mohalla Aranhali Rahon, District Shaheed Bhagat Singh Nagar. Now with the intervention of the respectables of both the sides, the matter has been amicably settled and compromised with all the above said accused which is reduced into writing and same is Ex.C1 which

is the original compromise between the parties. They further stated that they entered into the compromise with the accused with their own free will, without any outside pressure and they have no objection if the FIR is quashed. ”

A perusal of the aforesaid report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence.

Learned State Counsel, on instructions from ASI Ram Pal, has acknowledged the above fact and further stated that he has no objection in case the present FIR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties. Even before this Court also, there is no objection by either of the parties in case the present FIR is quashed.

In view of above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquillity and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the present petition is allowed and the aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioners.

December 10, 2018

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned	Yes
<i>Whether Reportable</i>	<i>No</i>