

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

CRM-M-39423-2016

Date of decision:19.07.2018

Surinder Singh @ Happy and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr .Gurmeet Singh Saini,Advocate
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab
for respondent No.1-State.

Mr. Impinder Singh Dhaliwal, Advocate
for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of FIR No.91 dated 29.09.2016 under Sections 307, 323, 382, 506, 148, 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, Police Station Mamdot, District Ferozepur and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 07.11.2016 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements

recorded with regard to genuineness of the compromise.

Report of Judicial Magistrate Ist Class, Ferozepur has been received wherein it has been reported that statements of complainant-Paramjit Singh, injured-Varinder Singh and that of the accused Surinder Singh alias Happy, Nishan Singh, Sandeep Singh and Hapreet Singh have been recorded to the effect that they have effected a compromise with the complainant. It has further been opined that the compromise has been effected voluntarily without there having any undue pressure or coercion.

In view of the aforesaid compromise and in light of decision of 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.91 dated 29.09.2016 under Sections 307, 323, 382, 506, 148, 149 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act, Police Station Mamdot, District Ferozepur and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

19.07.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No