

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

CRM-M-38931-2017 (O&M)

Date of Decision:-14.11.2018

Swinder Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ritesh Pandey, Advocate for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.43 dated 12.7.2015 registered under Sections 324, 323, 452, 148 and 149 of Indian Penal Code, 1860 (Section 326 IPC was added lateron) at Police Station Ghanie Ke Bangar, Batala, District Gurdaspur and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 23.8.2018, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Batala has been received, wherein it has been reported that the statements of petitioners/accused Swinder Singh, Inderjit Singh, Jugraj Singh, Jagroop Singh, Karam Singh and Dalwinder Singh as well as of complainant Dalbir Singh have been recorded to the effect that they have compromised the

matter amongst themselves and they have no objection in case the FIR in question is quashed. It has specifically been opined by learned Judicial Magistrate 1st Class, Batala that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

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 FIR No.43 dated 12.7.2015 registered under Sections 324, 323, 452, 148 and 149 of Indian Penal Code, 1860 (Section 326 IPC was added lateron) at Police Station Ghanie Ke Bangar, Batala, District Gurdaspur and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

14.11.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No