

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

**CRM-M-40199-2017
Date of decision:23.10.2018.**

MANPREET SINGH AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr.L.S.Sidhu, Advocate,
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab.

Mr.S.K.Garg, Advocate,
for respondents No.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.6 dated 03.01.2017, registered under Sections 420 IPC and 25, 27 Arms Act, at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 14.09.2017(Annexure P-2).

This Court vide order dated 27.10.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

learned Sub Divisional Judicial Magistrate, Talwandi Sabo and got their statements recorded. On the basis of the statements so recorded, learned Sub Divisional Judicial Magistrate has submitted report dated 14.11.2017 to the effect that the compromise is genuine and has been effected between the parties voluntarily and without undue influence, coercion or threat.

Respondent No.2- namely, Gurmeet Singh and respondent No.3 namely, Vishal Kumar Arora have made a joint statement with regard to compromise before learned Sub Divisional Judicial Magistrate on 09.11.2017. The same is reproduced as under:-

“Stated that matter has been compromised with petitioners namely Manpreet Singh, Gurpreet Singh alias Jaggi, Sukhwinder Singh alias Sonu, Sukhjinder Singh alias Sukhwinder Singh alias Baggi and Mahan Singh, voluntarily and without any threat, coercion or undue influence. The present FIR may kindly be quashed on the basis of the compromise.”

Learned State counsel, on instructions from ASI Rajpal Singh, states that in the aforesaid FIR even the police has prepared a cancellation report and the same has been approved by the Senior Superintendent of Police on 05.09.2018 and is likely to be presented before the trial Court.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.6 dated 03.01.2017, registered under Sections 420 IPC and 25, 27 Arms Act, at Police Station Talwandi Sabo, District Bathinda (Annexure P-1) and all subsequent

proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 14.09.2017(Annexure P-2).

(HARI PAL VERMA)
JUDGE

23.10.2018

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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No