

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

CRM-M-41328-2018 (O&M)

Date of Decision:-16.11.2018

Gagandeep Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Avtar S. Khinda, Advocate for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Harjinder Singh, Advocate for respondents No.2 and 3.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.115 dated 27.7.2014 registered under Sections 323, 324, 326 and 34 of Indian Penal Code, 1860 at Police Station Kotwali Kapurthala, District Kapurthala and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 19.9.2018, the parties had been directed to appear before the trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Kapurthala has been received, wherein it has been reported that the statements of petitioners/accused Gagandeep Singh, Darbara Singh, Tega Singh and Mangal Singh son of Dhian Singh as well as of complainant Mangal Singh son of Karnail Singh and Gurpreet Kaur have been recorded to the effect that

they have compromised the matter amongst themselves. It has specifically been opined by learned Judicial Magistrate 1st Class, Kapurthala 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.115 dated 27.7.2014 registered under Sections 323, 324, 326 and 34 of Indian Penal Code, 1860 at Police Station Kotwali Kapurthala, District Kapurthala and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

16.11.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking Yes / No

Whether reportable Yes / No