

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

CRM-M-4518 of 2018

Date of decision:- 28.02.2018

Atma Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Dhawan, Advocate
for the petitioners.

Mr. A.S. Dhaliwal, DAG, Punjab.

Mr. Saurabh Dalal, Advocate for
Mr. Abhimanyu Vinayak, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.38 dated 15.02.2007, under Sections 324, 148 and 149 IPC, registered at Police Station Nakodar, District Jalandhar on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 05.02.2018 to appear before the learned Area Magistrate and get their statements recorded and in pursuance thereof, learned Sub Divisional Judicial Magistrate, Nakodar recorded the statements of both the parties

and submitted a report dated 22.02.2018. A perusal of the report reveals that the compromise entered into between the parties is genuine and without any pressure, coercion, undue influence or inducement from any quarter. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. On instructions from Head Constable Amrik Singh, no objection has been raised by the learned State counsel on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case. He further stated that cancellation report in this case has already been prepared and the same shall be submitted within one month.

5. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, and the fact that no objection has been raised by the State, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed qua petitioners.

6. Petition is allowed.

(MAHABIR SINGH SINDHU)
JUDGE

February 28, 2018
rashmi

Whether reportable?	Yes/No
Whether reasoned/speaking?	Yes/No