

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-46224 of 2018 (O&M)

Date of Decision: 11.12.2018

Ranjit Singh & another

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

**CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- None for the petitioners.

Mr. R.S. Sidhu, AAG, Punjab.

None for respondent no.2.

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**HARI PAL VERMA, J. (Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.172 dated 10.09.2013 under Sections 326/341/323/506/148/149 IPC registered at Police Station Sadar Amritsar, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise dated 18.09.2018 (Annexure P-2) effected between the parties.

This Court vide order dated 22.10.2018 had directed the parties to appear before the Illaqa Magistrate/Trial Court to get their statements recorded with regard to compromise so arrived and learned Illaqa Magistrate/trial Court was directed to submit its report regarding the

genuineness of the compromise so effected on the basis of statements so recorded.

Pursuant to the aforesaid order, the parties have appeared before Additional Chief Judicial Magistrate, Amritsar and got their statements recorded. Learned Magistrate has forwarded her report dated 20.11.2018 to the effect that the compromise is genuine, voluntary and same has been effected out of free will of the parties.

No one has put in appearance on behalf of respondent no.2-complainant. However, the statement of the respondent no.2-complainant-Gurcharan Singh recorded before the Magistrate on 16.11.2018 reads as under:-

*“The aforesaid FIR was registered on my statement against accused Ranjit Singh @ Rana son of Ramesh Singh, Ramesh Singh son of Pritam Singh and Rajan Kumar alias Raja. Now with the intervention of respectables, we have entered into a compromise with all accused voluntarily, without any coercion or undue influence. The compromise is genuine one. I have got no objection if FIR in question and consequent proceedings may be quashed by the Hon’ble High Court. It is further submitted that three persons namely Ranjit Singh @ Rana, Ramesh Singh and Rajan Kumar alias Raja are arrayed as accused in this FIR. However, no accused is proclaimed offender in this case.”*

Learned State counsel also does not dispute the factum of compromise effected between the parties.

There is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1252 (P&H), as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)12 SCC 303, this petition is allowed and FIR No.172 dated 10.09.2013 under Sections 326/341/323/ 506/148/149 IPC registered at Police Station Sadar Amritsar, District Amritsar and all subsequent proceedings arising therefrom are quashed *qua* the petitioners on the basis of compromise dated 18.09.2018 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/-, to be deposited with the Poor Patients' Welfare Fund of the Post Graduate Institute of Medical Education and Research (PGIMER), Chandigarh within 15 days from today.

December 11, 2018  
AK

( HARI PAL VERMA )  
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No`