

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45857-2017

Date of Decision: 26.04.2018

Rajdeep Singh

.....Petitioner

vs.

State of Punjab and another

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vinod K. Kaushal, Advocate,
for the petitioner.

Mr. J.S. Walia, Sr. D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, quashing of FIR No. 67 dated 05.05.2017 is sought, on the basis of a compromise arrived at between the petitioner (accused) and respondent no. 2, i.e. the complainant. That FIR stands registered against the petitioner at Police Station Model Town, District Hoshiarpur, for the alleged commission of offences punishable under Sections 341, 349-B, 427, 148 and 149 IPC.

Vide an order of this Court dated 08.02.2018, the parties were directed to appear before the learned trial Court to get their statements recorded, in terms of the compromise. (A copy of the deed is Annexure P-2).

Pursuant to the aforesaid order, the report of the learned Chief Judicial Magistrate, Hoshiarpur, has been received, to the effect that the statement of the complainant (respondent no. 2, Sandeep Singh Jaswal) was recorded, stating that he has compromised the matter in the instant FIR with the accused, i.e. the

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petitioner Rajdeep Singh, of his own free will, with the petitioner also having suffered a similar statement before that Court.

It is further stated in the report that with the FIR already having been quashed qua two other persons, namely Pardeep Singh and “Rajdeep Singh” (obviously a clerical error because in the earlier part of the report, three persons are shown as accused, Karan, Rajdeep Singh and Pardeep Singh, with the petitioner being Rajdeep Singh), there is no other accused left against whom the FIR still stands, other than the petitioner.

Learned counsel for the petitioner also submits that vide an order passed by a co-ordinate Bench on 15.09.2017, in CRM-M-29652-2017, the FIR was quashed qua Pardeep Singh and Karan.

Further ,as per the learned CJM, though the complainant was stated to have been accompanied by Dharampal and Resham Singh at the time of the occurrence, neither was any injury sustained by them, nor was any article stolen from their possession, nor was any property of those persons damaged.

Hence, their consent would not be required for effecting a compromise between the complainant-respondent no. 2 and the present accused.

That being so and as per the assessment of the learned Magistrate, the compromise being genuine and voluntarily, the petition is allowed and FIR No. 67 dated 05.05.2017, registered against the petitioner at Police Station Model Town, District Hoshiarpur, for the alleged commission of offences punishable under Sections 341, 379-B, 427, 148 and 149 IPC, along with all proceedings emanating therefrom, is hereby quashed.

April 26, 2018

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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes
No.

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