

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

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CRM-M No.48422 of 2017

Date of Decision: May 31st, 2018

Dr. Baldev Krishan Singla and others

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Ms. Suman Kumari, Advocate
for Ms. Harsimran Kaur Dhaliwal, Advocate
for the petitioners.

Mr. Kuldeep Singh, Senior Deputy Advocate General, Punjab.

Ms. Satinder Kaur, Advocate
for respondent No.2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for quashing of FIR No.133 dated 23.07.2012 registered under Sections 307, 323, 448, 148, 149 IPC and Sections 25 and 27 of the Arms Act at Police Station City Moga, District Moga, and all consequential proceedings arising therefrom on the basis of a compromise dated 10.10.2017 (Annexure P-3) entered into between the parties.

In compliance with the order passed by this Court on 05.04.2018, parties appeared before the learned Chief Judicial Magistrate, Moga, on 23.04.2018 and got recorded their respective statements.

In pursuance thereto, report dated 30.04.2018 has been submitted, wherein it has been concluded that the compromise which has been effected between the parties is genuine and with their free will and without any coercion or undue influence from any corner and the same has been voluntarily made by the parties.

Counsel for the parties, on the basis of the report of Chief Judicial Magistrate, Moga, referred to above, submit that the present petition be allowed.

Counsel for respondent No.2 states that in the light of the compromise which has been entered into between the parties, complainant-respondent No.2 has no objection in case the present FIR which is the subject matter of this case and all consequential proceedings arising therefrom are quashed.

Keeping in view the report submitted by Chief Judicial Magistrate, Moga, and in view of the fact that the complainant has no objection to the quashing of the FIR as also keeping in view the principles laid down by judgment of Supreme Court in ***Madan Mohan Abbot Versus State of Punjab 2008 (2) RCR (Criminal) 429*** and in ***Criminal Appeal No.1723 of 2017*** titled as ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another***, decided on 04.10.2017, the present petition is allowed and FIR No.133 dated 23.07.2012 registered under Sections 307, 323, 448, 148, 149 IPC and Sections 25 and 27 of the Arms Act at Police Station City Moga, District Moga, and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

May 31st, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No