

257.

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

CRM-M-48837-2017

Date of decision:09.07.2018

KARAJ SINGH AND ORS

... Petitioners

versus

STATE OF PUNJAB AND ANR

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vikas Gupta, Advocate,
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab,
for respondent No.1.

Ms. Arti Kataria, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.56 dated 15.11.2015 under Sections 452/ 326/ 324/ 148/149 IPC, registered at Police Station Khem Karan, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 14.12.2017 (Annexure P-2).

This Court vide order dated 20.12.2017 had directed the parties to appear before the learned Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Patti and got their statements recorded.

submitted report dated 01.02.2018 to the effect that the compromise effected between the parties is genuine, voluntarily, without any coercion or undue influence with their free will.

Respondent No.2-complainant, namely, Rasal Singh @ Aarsal Singh has made his statement with regard to compromise before learned Magistrate on 19.01.2018. The same is reproduced as under:-

“Stated that case bearing FIR No.56 dated 15.11.2015, U/S: 452, 326, 324, 148, 149 IPC Police Station: Khemkaran was registered against petitioner No.1 Karaj Singh son of Mehal Singh, petitioner No.2 Gurpreet Singh son of Swaran Singh, petitioner No.3 Satwant Singh alias Sattu son of Swaran Singh and petitioner No.4 Swaran Singh son of Uttam Singh all resident of village Mehdipur, P.S. Khemkaran, Tehsil Patti, District Tarn Taran. I have compromised with the above said petitioners, with the intervention of respectable persons of area regarding this FIR without any coercion and influence from any corner. I have made this statement with my sweet and free will and without any pressure or coercion. I have no objection if the above said FIR No.56 dated 15.11.2015, U/S: 452, 326, 324, 148, 149 IPC, Police Station: Khemkaran, is quashed against above named petitioners, by the Honourable Punjab and Haryana High Court, Chandigarh.”

Learned State counsel, on instructions from HC Major Singh, states that the matter has been compromised between the parties. Learned counsel for respondent No.2 also does not dispute the factum of compromise between the parties.

In view of the above, no useful purpose would be served to

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.56 dated 15.11.2015 under Sections 452/ 326/ 324/ 148/149 IPC, registered at Police Station Khem Karan, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 14.12.2017 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

09.07.2018
sanjeev

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