

262.

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

CRM-M-6832-2017

Date of decision:11.07.2018.

LAKHWINDER SINGH @ LAKHA AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Ankush Singla, Advocate,
for the petitioners.

Mr. Surinder Pal Singh Tinna, Additional Advocate General,
Punjab, for respondent No.1.

Mr. Inderpreet Singh Kang, Advocate,
Ms. Gagandeep Kaur, Advocate,
for respondent Nos.2 and 3.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.84 dated 25.10.2016 under Sections 336, 148, 149, 323, 506 IPC and Sections 25, 27 of Arms Act, 1959, registered at Police Station Raikot, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 02.11.2016 (Annexure P-2).

This Court vide order dated 02.03.2017 had directed the parties to appear before the 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, Jagraon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 22.03.2017 to the effect that the compromise effected between the parties is without any pressure, coercion, voluntarily and genuine one.

Respondent No.2-complainant, namely, Gurwinder Singh has made his statement with regard to compromise before learned Magistrate on 22.03.2017. The same is reproduced as under:-

“Stated that the present case/FIR was lodged against the accused Yadwinder Singh @ Yaadu, Amandeep Singh @ Amna, Lakhwinder Singh @ Lakha, Gurpreet Singh @ Guri at my instance. Now I have compromised the matter with all the accused without any fear and pressure and with my own will and consent. I have already approached to the Hon'ble High Court for quashing the above said FIR against the accused as I do not want to pursue the present case against all the accused. As such I have no objection if the FIR of the present case be quashed or cancelled. I am present in the court with my counsel and I duly identified by my counsel.”

Apart from above, a similar statement has been made by respondent No.3-Parminder Singh, whereby he has shown no objection to the FIR being quashed.

Learned State counsel as well as learned counsel appearing on behalf of respondent Nos.2 & 3 have not disputed 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.84 dated 25.10.2016 under Sections 336, 148, 149, 323, 506 IPC and Sections 25, 27 of Arms Act, 1959, registered at Police Station Raikot, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 02.11.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

11.07.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No