

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

CRM-M-7011 of 2017

Date of decision:- 27.02.2018

Gurtej Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

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

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. N.S. Swaich, Advocate for
Mr. Rajan Bansal, Advocate
for respondents No.2 and 3.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.36 dated 19.03.2012, under Sections 323, 324, 341, 148 and 149 IPC, registered at Police Station City South Moga, District Moga, on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 02.03.2017 to appear before the learned Area Magistrate and get their statements recorded and in pursuance thereof, learned Chief Judicial Magistrate, Moga, recorded the statements of both the parties and

submitted a report dated 06.05.2017. A perusal of the report reveals that the compromise entered into between the parties is genuine and without any pressure, coercion, undue influence or inducement from any quarter. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. On instructions from Head Constable Kamaljit Singh, no objection has been raised by the learned State counsel on a specific query put to her by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case. She further stated that even the cancellation report has already been submitted in this case.

5. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, and the fact that no objection has been raised by the State, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed qua petitioners.

6. Petition is allowed.

February 27, 2018
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(MAHABIR SINGH SINDHU)
JUDGE

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