

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

**CRM-M-6039 of 2018
Date of decision:19.3.2018**

Gurpreet Singh @ Prince and others

....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. B.S. Jaswal, Advocate
for the petitioners.

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

Mr. Ankush Thakral, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No. 132 dated 20.09.2017 under Sections 448, 427, 506, 148 and 149 of the Indian Penal Code registered at Police Station Kamboj, Amritsar Rural on the basis of compromise entered into between the parties.

2. Heard learned counsel for both the parties and perused the paper book.

3. Both the parties were directed by this Court vide order dated 14.02.2018 to appear before the learned Illaqa Magistrate/ Trial Court and

get their statements recorded and in pursuance thereof, learned Judicial Magistrate 1st Class, Amritsar recorded the statements of both the parties and submitted a report dated 09.03.2018 and operative part of the same reads as under:

'In pursuance of the above mentioned Criminal Miscellaneous, I have the honour to submit that statement of complainant Jasbir Kaur recorded, who averred that during the pendency of this case on account of intervention of respectable compromise has been effected between her and accused persons. As such, she does not want to proceed with the present case. She has given her statement without any coercion, threat or pressure. She has no objection if the above said FIR be quashed. On the other hand accused persons namely, Gurpreet Singh @ Prince, Loverpreet Singh and Manpreet Singh also undertook to remain bound with terms and conditions of compromise. The statements of both the parties are recorded with regard to all the offences in pursuance of the above mentioned Criminal Miscellaneous. In the said circumstances, it appears that compromise is genuine in between them. Further, it has been submitted that three above said accused have been arrayed in this case and none of them has been declared as proclaimed offender in this case.'

A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even before this Court also, the parties are not disputing the factum of compromise arrived at between them.

4. No objection has been raised by the learned State counsel and learned counsel for respondent No.2 on a specific query put to them 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. Learned State counsel further submits that even report under Section 173 Cr.P.C. has not been submitted in this case

5. In view of the above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquillity and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the aforesaid FIR and all consequential proceedings resulting therefrom are quashed qua petitioner(s).

6. Petition is allowed.

(MAHABIR SINGH SINDHU)
JUDGE

19.03.2018
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| 1. | Whether reportable? | Yes / No |
| 2. | Whether reasoned / speaking? | Yes / No |