

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

CRM-M-7248-2018 (O&M)

Date of Decision:-26.9.2018

Gurpal Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. S.P.S. Sidhu, Advocate for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

Mr. Rajat Dogra, Advocate has put in appearance on behalf of respondent No.2 and has filed Vakalatnama, which is taken on record.

By way of filing this petition, the petitioners seek quashing of FIR No.168 dated 7.12.2010 registered under Sections 452, 323, 324, 326, 148 and 149 of Indian Penal Code, 1860 at Police Station Zira, District Ferozepur as well as judgment of conviction and order of sentence dated 23.1.2017 passed by learned Sub-Divisional Judicial Magistrate, Zira and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 5.7.2018, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.

Report of learned Sub-Divisional Judicial Magistrate, Zira has been received, wherein it has been reported that the statements of the complainant Gurpreet Singh and also of the accused/petitioners have been

recorded to the effect that they have compromised the matter amicably amongst themselves. The complainant Gurpreet Singh has specifically stated that he has no objection in case the FIR is quashed. It has specifically been opined that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.168 dated 7.12.2010 registered under Sections 452, 323, 324, 326, 148 and 149 of Indian Penal Code, 1860 at Police Station Zira, District Ferozepur and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners. Consequently, the judgment of conviction and order of sentence dated 23.1.2017 passed by learned Sub-Divisional Judicial Magistrate, Zira is set aside.

26.9.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking Yes / No

Whether reportable Yes / No