

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-5158-2019 (O&M)

Date of Decision:-27.5.2019

Surjit Singh @ Sita and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. J.J.S. Uppal, Advocate for respondents No.2 to 5.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of FIR No.111 dated 16.10.2014 registered at Police Station Sadar Nabha, Tehsil Nabha, District Nabha under Sections 341, 323, 325, 148 and 149 of Indian Penal Code, 1860, wherein offence under Section 325 IPC was added later on, and also of setting aside of judgment dated 7.5.2018 passed by learned Sub Divisional Judicial Magistrate, Nabha, District Patiala and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 4.2.2019, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Additional Sessions Judge, Patiala has been received, wherein it has been reported that statements of petitioners/accused Surjit Singh @ Sita, Malkiat Singh @ Meet and Laddi Singh @ Laddi and also of complainant Nirmal Singh and injured Mandeep Kaur, Paramjit Kaur and Charanjit Kaur have been recorded to the effect that they have compromised the matter amongst themselves and they have no objection in case the FIR is quashed.

The learned Additional Sessions Judge, Patiala has specifically opined that the parties have entered into compromise voluntarily 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.111 dated 16.10.2014 registered at Police Station Sadar Nabha, Tehsil Nabha, District Nabha under Sections 341, 323, 325, 148 and 149 of Indian Penal Code, 1860, wherein offence under Section 325 IPC was added later on and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners. Consequently, judgment dated 7.5.2018 passed by learned Sub Divisional Judicial Magistrate, Nabha, District Patiala is set aside.

27.5.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No