

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

CRM-M-16587-2018 (O&M)

Date of Decision:- 15.1.2019

Gurmail Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ranjit Saini, Advocate, for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

Ms. Harmanpreet Kaur, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 41, dated 9.3.2017, registered at Police Station Tanda, District Hoshiarpur, under Sections 323, 324, 148, 149 and 506 IPC and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 23.4.2018 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.

Report of learned Judicial Magistrate 1st Class, Dasuya has been received to the effect that statement of complainant-Mandeep Kaur and also of petitioners/accused Jaswinder Kaur, Kulwinder Kaur, Harpal Singh,

Harbans Kaur @ Balwinder Kaur and Darshan Singh have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that she has no objection if the FIR in the present case is quashed.

Learned Judicial Magistrate 1st Class, Dasuya has however informed that petitioner No.1-Gurmail Singh did not come present for recording his statement qua compromise.

In view of the aforesaid report 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 petition is allowed and FIR No. 41, dated 9.3.2017, registered at Police Station Tanda, District Hoshiarpur, under Sections 323, 324, 148, 149 and 506 IPC and all the consequent proceedings arising therefrom are hereby quashed qua petitioners No.2 to 6. The petition qua petitioner No.1-Gurmail Singh is dismissed, with liberty to move afresh at a later stage

January 15, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No