

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

**CRM-M-18097-2018
Date of decision:10.01.2019**

Kawar Ganga Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. D.R. Punia, Advocate
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab
assisted by ASI Ramesh Chand.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks quashing of FIR No.153 dated 17.09.2017 under Sections 279, 337, 338, 427 of Indian Penal Code, 1860, Police Station Sarabha Nagar, Ludhiana and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 31.07.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

3. Report of learned Chief Judicial Magistrate, Ludhiana has been received to the effect that statement of the complainant Charanjit Kaur and also of the injured Yashpreet Singh and Major Ranjit Singh apart from statement of accused/petitioner Kavar Ganga Singh have been recorded to the effect that they have compromised the matter amongst themselves and that the complainant-party has no objection for quashing of the FIR. It has specifically been opined by learned Chief Judicial Magistrate, Ludhiana that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.
4. Learned State counsel has today filed reply wherein it has been stated that in fact an “untraced” report has been prepared in the present case although the same is yet to be filed.
5. 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 petition is allowed and FIR No.153 dated 17.09.2017 under Sections 279, 337, 338, 427 of Indian Penal Code, 1860, Police Station Sarabha Nagar, Ludhiana and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

(GURVINDER SINGH GILL)
JUDGE

10.01.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No