

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

CRM-M-19164-2018
Date of decision:8.5.2019

KESARDEEN AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Chandeeep Singh, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Manish Singh, Advocate for
Mr. Lovepreet Handa, Advocate
for respondents No.2 and 3.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek quashing of FIR No.40 dated 2.5.2017 under Sections 341, 323, 148, 249 of the Indian Penal Code, Police Station Khamano, District Fatehgarh Sahib and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide orders dated 7.5.2018 & 29.1.2019, 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 Sub-Divisional Judicial Magistrate, Khamanon and Judicial Magistrate Ist Class, Fatehgarh Sahib have been received wherein it has been reported that statements of all the petitioners as well as of complainant-Gurmeet Singh and his wife Preet Kaur have been recorded, who have stated that they have compromised the matter and that complainant and his wife have no objection if the FIR is quashed. It has specifically been opined in the reports that genuine and true compromise has been entered into between the parties, which is voluntary without any pressure or undue influence and out of their own free will.
4. 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.40 dated 2.5.2017 under Sections 341, 323, 148, 249 of the Indian Penal Code, Police Station Khamano, District Fatehgarh Sahib and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

8.5.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No