

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

CRM-M-10895-2019 (O&M)
Date of Decision:-25.7.2019

Gurbachan Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Salathia, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Vikas Gupta, Advocate for respondents No.2 and 3.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of cross case registered vide Rapat No.20 dated 12.2.2017 at Police Station Khalra, District Tarn Taran under Section 326, 323, 324, 341, 148 and 149 of Indian Penal Code in FIR No.10 dated 10.2.2017 registered at Police Station Khalra, District Tarn Taran under Sections 323, 324, 452, 148 and 149 of Indian Penal Code, 1860, wherein offence under Section 326 IPC was added later on, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 16.7.2019, 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.

Reports of learned Sub-Divisional Judicial Magistrate, Patti and learned learned Judicial Magistrate 1st Class, Patti have been received, wherein it has been reported that statements of petitioners/accused Gurbachan Singh, Gursewak Singh @ Babla, Manjit Singh @ Bittu, Gursahib Singh, Jagdeep Singh and Navroop Singh and also of complainant Gurjit Singh and Jagjit Singh @ Gurjit Singh 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 learned Sub-Divisional Judicial Magistrate, Patti and learned learned Judicial Magistrate 1st Class, Patti have 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 cross case registered vide Rapat No.20 dated 12.2.2017 at Police Station Khalra, District Tarn Taran under Section 326, 323, 324, 341, 148 and 149 of Indian Penal Code in FIR No.10 dated 10.2.2017 registered at Police Station Khalra, District Tarn Taran under Sections 323, 324, 452, 148 and 149 of Indian Penal Code, 1860, wherein offence under Section 326 IPC was added later on, wherein offence under Section 326 IPC was added later on and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

25.7.2019

pankaj

Whether reasoned/speaking

Whether reportable

Yes / No

Yes / No

**(Gurvinder Singh Gill)
Judge**