

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

CRM-M-31437-2018 (O&M)
Date of Decision:-8.2.2019

Kamlesh Pandey and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shivender, Advocate for
Mr. Brijeshwar Singh Bhalla, Advocate for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Nitin Rathore, Advocate for
Mr. Paras Jagga, Advocate for respondents No.2 and 3.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.0144 dated 6.7.2018 registered at Police Station City Moga, District Moga under Sections 452, 323, 148 and 149 of Indian Penal Code, 1860 and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 26.7.2018, 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 Chief Judicial Magistrate, Moga has been received, wherein it has been reported that statements of petitioners/accused Kamlesh Pandey, Punit Pandey @ Sumeet Kumar, Rahul Pandey, Neeraj

Dubey and Vikas Tiwari and also of complainants Kamaljeet Singh and Ranjit Singh have been recorded to the effect that they have compromised the matter amongst themselves with the intervention of respectables and they have no objection in case the FIR is quashed.

The learned Chief Judicial Magistrate, Moga 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.0144 dated 6.7.2018 registered at Police Station City Moga, District Moga under Sections 452, 323, 148 and 149 of Indian Penal Code, 1860 and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

8.2.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No