

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

CRM-M-31500-2018 (O&M)

Date of Decision:- 24.1.2019

Binder Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Karanjit Singh Brar, Advocate, for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Tarun Sharma, Advocate for

Mr. Lovepreet Honda, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of FIR No. 98, dated 29.5.2018, registered at Police Station Lambi, District Sri Muktsar Sahib, under Sections 307, 324, 323, 148 and 149 IPC and 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 the statements recorded.

Report of learned Sub Divisional Judicial Magistrate, Malout has been received to the effect that statement of complainant Kewal Singh,

injured Jasbir Singh and injured Baljinder Singh and also of petitioners/accused Binder Singh, Malkiat Singh, Balkaran Singh @ Manta, Harcharan Singh @ Laddu, Khushwinder Kaur, Rajwinder Kaur and Harbhagwan Singh @ Munshi have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that he has no objection if the FIR in the present case is quashed. Learned Sub Divisional Judicial Magistrate, Malout opined that the compromise arrived between the parties is voluntary and without any threat or any undue influence.

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. 98, dated 29.5.2018, registered at Police Station Lambi, District Sri Muktsar Sahib, under Sections 307, 324, 323, 148 and 149 IPC and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

January 24, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No