

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

CRM-M-33533-2018(O&M)

Date of decision:- 26.03.2019

Hardarshan Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gourav Goel, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

Mr. Sandeep Kumar Bokolia, Advocate
for respondent No.2-complainant.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks quashing of FIR No. 188 dated 02.09.2017 under Sections 427, 448 and 380 IPC, Police Station City Kharar, District SAS Nagar, Mohali(Annexure P-1) and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 06.08.2018 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 Judicial Magistrate Ist Class, Kharar, has been received wherein it has been reported that statements of the petitioner as well as of Bhupinder Singh, respondent No.2-complainant have been recorded who have stated that they have compromised the matter and that Bhupinder Singh, complainant-respondent No.2 has no

objection if the FIR is quashed. It has specifically been opined by learned Judicial Magistrate Ist Class, Kharar that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

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.188 dated 02.09.2017 under Sections 427, 448 and 380 IPC, Police Station City Kharar, District SAS Nagar, Mohali(Annexure P-1) and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

26.03.2019
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(GURVINDER SINGH GILL)
JUDGE

Whether reasoned/speaking? Yes / No

Whether reportable? Yes / No