

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

CRM-M-36815-2018 (O&M)

Date of Decision:- 11.4.2019

Arjun @ Damel and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Ms. Reena, Advocate, for
Mr. B.S.Jaswal, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of FIR No.106, dated 18.7.2018, registered at Police Station Islamabad, District Amritsar, under Sections 341, 323, 148, 149, 506 and 379 IPC, and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 27.8.2018 the parties had been directed to appear before the Illaqa Magistrate so as to get the statements recorded.
3. Report of learned Judicial Magistrate 1st Class, Amritsar, has been received wherein it has been reported that statements of complainant

Prabhu Sharma as well as of petitioners/accused Arjun @ Damel, Honay @ Mattu and Rajbir Singh Giani @ Baba, have been recorded to the effect that they have entered into a compromise with the intervention of respectables. The complainant has specifically stated that the matter has been compromised and he does not want to pursue with the matter. Learned Judicial Magistrate 1st Class, Amritsar, opined that the compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence, being outcome of their free will and consent.

4. 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.106, dated 18.7.2018, registered at Police Station Islamabad, District Amritsar, under Sections 341, 323, 148, 149, 506 and 379 IPC, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

April 11, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No