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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 21885-2019 (O&M)
Date of Decision: 19.12.2019

Daljit Singh and others ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM : Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present : Mr. Tejinderbir Singh, Advocate
for the petitioners.

Mr. Randhir Singh Thind, DAG Punjab.

Mr. Jagdeep S. Virk, Advocate
for respondent No.2.

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JASGURPREET SINGH PURI, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.75 dated 18.06.2009, under Sections 148, 149, 323 and 452 IPC, registered at Police Station Bholath, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise.

Vide order passed by this Court dated 05.11.2019, parties were directed to appear before the learned Illaqa Magistrate/Duty Magistrate on 15.11.2019 or on any other date convenient to the Court to get their statements recorded with regard to the compromise and the learned Magistrate was directed to send its report.

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In pursuance of above, a report has been received from the Sub-Divisional Judicial Magistrate, Bholath, Kapurthala stating that in compliance of order dated 15.11.2019, Daljeet Singh, Baljinder Singh, Jagjit Singh (attorney of Sukhdeep Singh), Puran Singh (attorney of accused Mandip Singh) and complainant/respondent Surinder Singh have appeared and their statements under the identification of their respective counsels were recorded. It is further stated in the report that as per the statement the compromise has been arrived at between the parties voluntarily, without any pressure or coercion through the respectables of the locality. It has been further stated in the report that ASI Sukhwinder Singh, Police Station Begowal, District Kapurthala, has also intimated that even the cancellation report has also been submitted, though the same was not accepted by the Court.

It is further submitted in the report that except the present proceedings, no other proceedings are pending against petitioners-namely Daljit Singh, Baljinder Singh, Sukhdeep Singh and Mandip Singh. In this regard, statement of ASI Sukhwinder Singh has also been recorded and the compromise was also been place on record as Ex.C1.

Learned State counsel, on instructions of SI Baljinder Singh, submits that compromise has been entered into between the parties voluntarily and they have no objection if the present FIR is quashed.

In view of above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Thus, following the judgment in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** as well as ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.75 dated 18.06.2009, under Sections 148, 149,

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323 and 452 IPC, registered at Police Station Bholath, District Kapurthala and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise.

(JASGURPREET SINGH PURI)
JUDGE

19.12.2019
Parveen Sharma

Whether reasoned/speaking Yes/No
Whether reportable Yes/No

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