

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

CRM-M-47759-2018 (O&M)

Date of Decision:-28.2.2019

Dilbag Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gagandeep Singh Simble, Advocate for the petitioners.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.93 dated 30.8.2018 registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur under Sections 452, 326, 324, 323, 427, 506 and 34 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 30.10.2018, 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 Judicial Magistrate 1st Class, Batala has been received, wherein it has been reported that statements of petitioners/accused Dilbag Singh, Bhagwan Singh, Sukhraj Singh @ Sukh and Davinder Singh

and also of complainant Kulmeet Singh and injured Ajit Singh @ Jagjit Singh have been recorded to the effect that they have compromised the matter amongst themselves and they have no objection in case the FIR is quashed.

The learned Judicial Magistrate 1st Class, Batala 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.93 dated 30.8.2018 registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur under Sections 452, 326, 324, 323, 427, 506 and 34 of Indian Penal Code, 1860 and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

28.2.2019

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No