

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

CRM-M-48384-2018 (O&M)

Date of Decision:- 13.5.2019

Gurdial Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Balbir Singh Jaswal, Advocate, for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. At the very outset, learned counsel for the petitioners submits that he may be permitted to withdraw the petition qua petitioners No.5 and 6 with liberty to file afresh at a later stage.
2. In view of the aforesaid submission, the petition is dismissed as withdrawn qua petitioners No.5 and 6 namely Satwinder Singh and Joginder Singh, at this stage with liberty aforesaid.
3. The present petition has been filed for quashing of FIR No.18, dated 16.3.2014, registered at Police Station Tarsikka, Amritsar, under Sections 420, 467, 468, 471, 120-B IPC, and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
4. Vide order dated 31.10.2018 the parties had been directed to appear before the trial Court so as to get the statements recorded.

5. Report of learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar, has been received wherein it has been reported that statement of complainant Kabal Singh as well as of petitioners No.1 to 4/accused Gurdial Singh, Rashpal Singh alias Sarabjit Singh, HC Jang Bahadur Singh and Baljit Kaur, 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 with petitioners No.1 to 4 and he does not want to pursue with the matter. Learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar, opined that the compromise effected between the parties voluntarily, out of their free will and without any pressure or coercion and the same appears to be genuine one.
6. 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.18, dated 16.3.2014, registered at Police Station Tarsikka, Amritsar, under Sections 420, 467, 468, 471, 120-B IPC, and all the consequent proceedings arising therefrom are hereby quashed only qua petitioners No.1 to 4.

May 13, 2019

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No