

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

CRM-M-49018-2018
Date of decision:6.5.2019

TEJINDER SINGH AND ORS

.....Petitioners

Versus

STATE OF PUNJAB AND ORS

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. S.K. Jain, Advocate
for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Aasheem Jain, Advocate
for the respondent.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek quashing of FIR No.22 dated 19.3.2007 under Sections 323, 324, 148, 149 of the Indian Penal Code, Police Station Sohana, Tehsil Kharar, District SAS Nagar (Mohali) and also consequent proceedings including judgment dated 27.8.2014 whereby the petitioners have been convicted by the Court of learned Judicial Magistrate Ist Class, Mohali for offences punishable under Sections 323, 324, 148, 149 IPC and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 25.2.2019 the parties had been directed to appear before the learned Additional Sessions Judge, Mohali so as to get

the statements recorded with regard to the genuineness of the compromise.

3. Report of learned Additional Sessions Judge, Mohali has been received wherein it has been reported that statements of the petitioners as well as of complainant-Jaswinder Singh have been recorded who have stated that they have compromised the matter and that complainant has no objection if the FIR is quashed. It has specifically been opined by learned Additional Sessions Judge, Mohali 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.22 dated 19.3.2007 under Sections 323, 324, 148, 149 of the Indian Penal Code, Police Station Sohana, Tehsil Kharar, District SAS Nagar (Mohali) is quashed qua petitioners. Consequently the judgment dated 27.8.2014 whereby the petitioners have been convicted by the Court of learned Judicial Magistrate Ist Class, Mohali for offences punishable under Sections 323, 324, 148, 149 IPC is also set aside qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

6.5.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No