

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

CRM-M-52091-2018 (O&M)

Date of Decision:-24.5.2019

Jasbir Singh and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Fariad Singh Virk, Advocate for the petitioners.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

Mr. Arjun Veer Sharma, Advocate for respondents No.2 to 4.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of DDR/G.D. No.034 dated 18.7.2018 registered under Sections 323, 506 and 34 of Indian Penal Code, 1860 in FIR No.82 dated 18.7.2018 registered at Police Station Koom Kalan, District Ludhiana under Sections 308, 323, 341, 506 and 34 Indian Penal Code, 1860, wherein offence under Section 308 was deleted and offence under Section 325 IPC was added later on, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 27.11.2018, 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, Ludhiana has been received, wherein it has been reported that statements of petitioners/accused Jasbir Singh @ Jasvir Singh and Jaspreet Singh and also of complainant Saggarh Singh, Bheem Singh and Beant 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, Ludhiana 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 DDR/G.D. No.034 dated 18.7.2018 registered under Sections 323, 506 and 34 of Indian Penal Code, 1860 in FIR No.82 dated 18.7.2018 registered at Police Station Koom Kalan, District Ludhiana under Sections 308, 323, 341, 506 and 34 Indian Penal Code, 1860, wherein offence under Section 308 was deleted and offence under Section 325 IPC was added later on and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

24.5.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No