

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

CRM-M-52339-2018 (O&M)
Date of Decision:-25.3.2019

Lakhvir Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Puneet Sharma, Advocate for
Mr. Sandeep Arora, Advocate for the petitioner.

Ms. Rashmi Attri, Assistant Advocate General, Punjab.

Mr. Deepak Bhardwaj, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioner seeks quashing of complaint No.1067/2013 filed on 31.3.2009 bearing registration No.5538/2013 dated 31.3.2009 as well as order dated 4.5.2015 passed by learned Judicial Magistrate 1st Class, Rupnagar, whereby the accused have been summoned to face trial under Sections 323, 506 and 504 of Indian Penal Code and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 10.12.2018, 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, Rupnagar has been received, wherein it has been reported that statements of

petitioner/accused Lakhvir Singh and also of complainant Kulwant Kaur have been recorded to the effect that they have compromised the matter amongst themselves and they have no objection in case the complaint is quashed.

The learned Judicial Magistrate 1st Class, Rupnagar 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 complaint No.1067/2013 filed on 31.3.2009 bearing registration No.5538/2013 dated 31.3.2009 as well as order dated 4.5.2015 passed by learned Judicial Magistrate 1st Class, Rupnagar, whereby the accused have been summoned to face trial under Sections 323, 506 and 504 of Indian Penal Code and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

25.3.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No