

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

CRM-M-52824-2018 (O&M)

Date of Decision:- 28.2.2019

Dalip Singh Brar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Kumar Bokolia, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The present petition has been filed for quashing of DDR No.22, dated 2.7.2010, registered at Police Station Samalsar, District Moga, arising out of FIR No.23, dated 2.7.2010, registered at Samalsa District Moga, under Sections 341, 323, 34 IPC, and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 29.11.2018 the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get the statements recorded.
3. Report of learned Sub Divisional Judicial Magistrate, Baghapurana, has been received wherein it has been reported that statements of

complainant Kaur Singh and also of injured Bohar Singh and Surjit Singh have been recorded to the effect that they have entered into compromise with the petitioner and have no objection in quashing of the proceedings pending against him. Learned Sub Divisional Judicial Magistrate, Baghapurana, opined that the parties have entered into a compromise voluntarily without there being any coercion or undue influence.

4. 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 DDR No.22, dated 2.7.2010, registered at Police Station Samalsar, District Moga, arising out of FIR No.23, dated 2.7.2010, registered at Samalsa District Moga, under Sections 341, 323, 34 IPC, and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

February 28, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No