

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

CRM-M-53213-2018 (O&M)
Date of Decision:-4.2.2019

Kuldeep Kumar @ Happy and others ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Hardeep Singh, Advocate for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. K.R. Dhawan, Advocate for respondents No.2 to 4.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.153 dated 9.8.2015 registered at Police Station Zira, District Ferozepur under Sections 323, 148, 149 and 427 of Indian Penal Code, 1860 and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 3.12.2018, 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 Sub-Divisional Judicial Magistrate, Zira has been received, wherein it has been reported that the statements of petitioners/accused Kuldeep Kumar @ Happy, Shalani @ Shalu, Gulshan Rai, Rajesh Kumar Sehgal, Gurwinder Singh Sandhu and Gurpreet Singh

and also of complainant Gagan Jaun, Komal Jain and Sunita Jain @ Pinky Jain 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.

It has specifically been opined by learned Sub-Divisional Judicial Magistrate, Zira 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 FIR No.153 dated 9.8.2015 registered at Police Station Zira, District Ferozepur under Sections 323, 148, 149 and 427 of Indian Penal Code, 1860 and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

4.2.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No