

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

**CRM-M-8104-2017 (O&M)
Date of decision:25.01.2019**

Rakesh Kumar @ Fouji and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Dr. Jolly Sharma, Advocate for
Mr. S.K. Chaudhary, Advocate
for the petitioners.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab
for respondent No.1.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek quashing of FIR No.57 dated 9.4.2015 under Sections 382, 341, 323, 506, 34 of Indian Penal Code, 1860, Police Station Division No.1, District Pathankot and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 27.09.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements

recorded with regard to the genuineness of the compromise.

3. Report of learned Additional Chief Judicial Magistrate, Pathankot has been received wherein it has been reported that statements of the petitioners as well as of complainant-Palwinder Singh have been recorded who have stated that they have compromised the matter with the intervention of respectables and that the complainant has no objection if the FIR is quashed. It has specifically been opined by learned Additional Chief Judicial Magistrate, Pathankot 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.57 dated 9.4.2015 under Sections 382, 341, 323, 506, 34 of Indian Penal Code, 1860, Police Station Division No.1, District Pathankot and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

25.01.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No