

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

CRM-M-54315-2018
Date of decision:28.3.2019

Jatinder @ Pappa and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Ms. Bhavneet Gaur, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab
for respondent No.1.

Mr. Birj Mohan, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek quashing of FIR No.63 dated 9.8.2018 under Sections 326, 307 and 34 of the Indian Penal Code, Police Station Mukandpur, District SBS Nagar and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 7.12.2018 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 Judicial Magistrate Ist Class, Shaheed Bhagat Singh Nagar has been received wherein it has been reported that statements of the petitioners as well as of complainant-Gurjit Singh have been recorded who have stated that they have compromised the matter and that complainant has no objection if the FIR is quashed. It has specifically been opined by learned Magistrate that compromise between the parties is genuine & authentic and without any pressure or coercion.
4. In the present case, although offence under Section 307 of the Indian Penal Code was added later on but the present case is a case where it is a fight amongst neighbours wherein petitioner No.2 Harmel Singh @ Gelli/accused while in inebriated condition brought a kitchen knife and had given one injury in the stomach of the complainant-Gurjit Singh.
5. Bearing in the mind the aforesaid facts in mind especially that it is case of fight amongst neighbours and compromise would certainly be helpful for maintaining cordial relations amongst neighbours 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.63 dated 9.8.2018 under Sections 326, 307 and 34 of the Indian Penal Code, Police Station Mukandpur, District SBS Nagar and all the

consequent proceedings arising therefrom are hereby quashed qua
the petitioners.

28.3.2019
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No