

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

CRM-M-54371-2018 (O&M)

Date of Decision:-1.4.2019

Krishan Mohan Tiwari and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ajay Pal Singh Rehan, Advocate for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Sandeep Godara, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.41 dated 29.4.2018 registered at Police Station Dhariwal, District Gurdaspur under Sections 325, 323 and 34 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 7.12.2018, 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 Chief Judicial Magistrate, Gurdaspur has been received, wherein it has been reported that statements of petitioners/accused Krishan Mohan Tiwari, Ajay Tiwari and Ajit Tiwari and

also of complainant Sangeeta Katoch and Sagar Singh 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.

The learned Chief Judicial Magistrate, Gurdaspur 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 FIR No.41 dated 29.4.2018 registered at Police Station Dhariwal, District Gurdaspur under Sections 325, 323 and 34 of Indian Penal Code, 1860 and all the consequent proceedings arising therefrom are hereby quashed qua petitioners.

1.4.2019

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No