

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

CRM-M-42061-2018

Date of decision:7.5.2019

LAKHWINDER SINGH AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. G.S. Sandhu, Advocate
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek quashing of FIR No.46 dated 20.06.2013 under Sections 324, 325, 342, 323, 148 and 149 of the Indian Penal Code, Police Station Sadar Faridkot and also consequent proceedings including judgment dated 6.3.2018 whereby the petitioners have been convicted by the Court of learned Additional Chief Judicial Magistrate, Faridkot for offences punishable under Sections 148, 336, 325, 324, 323, 342 read with Section 149 IPC and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 24.9.2018 the parties had been directed to appear before the learned Additional Sessions Judge, Faridkot so as to get

the statements recorded with regard to the genuineness of the compromise.

3. Report of learned Additional Sessions Judge, Faridkot has been received wherein it has been reported that statements of the petitioners as well as of complainant-Budh 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 Additional Sessions Judge, Faridkot that the compromise is genuine and has been effected voluntarily without any fear, pressure or undue influence.
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.46 dated 20.06.2013 under Sections 324, 325, 342, 323, 148 and 149 of the Indian Penal Code, Police Station Sadar Faridkot of the Indian Penal Code, Police Station Sadar Faridkot is quashed qua petitioners. Consequently judgment dated 6.3.2018 whereby the petitioners have been convicted by the Court of the learned Additional Chief Judicial Magistrate, Faridkot for offences punishable under Sections 148, 336, 325, 324, 323, 342 read with Section 149 IPC is also set aside qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

7.5.2019
Gaurav Sorot

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