

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

CRM-M-26938-2020 (O&M)
Date of Decision:-1.12.2020

Jaswant Singh and others ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dheeraj Mahajan, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Vipin Mahajan, Advocate for respondent No.2.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.42 dated 20.4.2020 registered at Police Station Bhaini Mian Khan, District Gurdaspur under Sections 323, 324 and 34 of Indian Penal Code, wherein offence under Section 326 IPC was added lateron, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 24.9.2020, the parties had been directed to appear before the Illaqa Magistrate/Duty Magistrate so as to get their statements recorded qua the factum of compromise.

3. Report of learned Judicial Magistrate 1st Class, Gurdaspur has been received, wherein it has been reported that the statements of petitioners/accused Jaswant Singh, Malook Singh, Charanjit Singh and Sardool Singh and also of complainant Balwant Singh have been recorded to the effect that they have compromised the matter amongst themselves.
4. The complainant Balwant Singh in his statement has stated that he has no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Gurdaspur has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. 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.42 dated 20.4.2020 registered at Police Station Bhaini Mian Khan, District Gurdaspur under Sections 323, 324 and 34 of Indian Penal Code, wherein offence under Section 326 IPC was added lateron and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

1.12.2020

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No