

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

CRM-M-27112-2020 (O&M)
Date of Decision:- 16.12.2020

Sukhvir Singh and others ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Arnav Sood, Advocate, for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. S.K.Choudhary, Advocate, for respondents No.2 and 3.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.11, dated 19.3.2019, Police Station Nangal Bhoor, District Pathankot, under Sections 323, 379, 427, 148, 149 IPC and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 9.11.2020, 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.
3. Report of learned Judicial Magistrate 1st Class, Pathankot, has been received, wherein it has been reported that the statements of

petitioners/accused Jeewan Kumar, Satwinder Singh, Bahadar Singh, Sham Lal, Samarjit Singh and also of complainant Davinder Kumar as well as of injured Rakesh Ishwar Singh have been recorded to the effect that they have compromised the matter amongst themselves. A perusal of report shows that petitioner No.1-Sukhvir Singh died on 21.11.2020.

3. The complainant/injured Davinder Kumar and Rakesh Ishwar Singh in their statement has stated that they have no objection in case the FIR in question is quashed.
4. The learned Judicial Magistrate 1st Class, Pathankot, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
5. 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.11, dated 19.3.2019, Police Station Nangal Bhoor, District Pathankot, under Sections 323, 379, 427, 148, 149 IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners No.2 to 6 and stands abated qua petitioner No.1.

December 16, 2020
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No