

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

CRM-M-28260-2020 (O&M)

Date of Decision:-16.12.2020

Kulwant Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gobind Singh Randhawa, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Gagandeep S. Bhardwaj, Advocate,
for respondent No.2/complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.114 dated 26.7.2020 registered at Police Station Mehata, Police District Amritsar Rural, District Amritsar under Sections 341, 323, 451, 506, 149, 188, 269 and 270 of Indian Penal Code, Section 51 of Disaster Management Act, 2005 and Section 3 of Epidemic Disease Act, 1897 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 17.9.2020, 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 Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar has been received, wherein it has been reported that the statements of petitioners/accused Kulwant Singh, Surjit Singh, Santokh Singh, Sukhjit Singh, Sarwan Singh @ Swaran Singh, Ranjit Singh, Harnam Singh and Sawinder Singh and also of complainant Gurdev Singh have been recorded to the effect that they have compromised the matter amongst themselves.
4. The complainant Gurdev Singh in his statements has stated that he has no objection in case the FIR in question is quashed.
5. The learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar 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.114 dated 26.7.2020 registered at Police Station Mehata, Police District Amritsar Rural, District Amritsar under Sections 341, 323, 451, 506, 149, 188, 269 and 270 of Indian Penal Code, Section 51 of Disaster Management Act, 2005 and Section 3 of Epidemic Disease Act, 1897 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

16.12.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No