

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

CRM-M-29533-2019 (O&M)
Date of Decision:-24.1.2020

Rafiq Masih and others ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ritesh Pandey, Advocate for the petitioners.

Mr. Saurav Khurana, Deputy Advocate General, Punjab.

Mr. Manoj K. Sharma, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of FIR No.51 dated 24.5.2019 registered at Police Station Sadar Gurdaspur, District Gurdaspur under Sections 452, 323, 324 and 34 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 15.7.2019, 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 Additional Chief Judicial Magistrate, Gurdaspur has been received, wherein it has been reported that statements of petitioners/accused Rafiq Masih, Saba @ Daniel Masih, Bhipan @ Samuel

Masih and Usha @ Jinat and also of complainant Shosan have been recorded to the effect that they have compromised the matter amongst themselves.

The complainant in her statement has stated that she has no objection in case the FIR in question is quashed.

The learned Additional 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.51 dated 24.5.2019 registered at Police Station Sadar Gurdaspur, District Gurdaspur under Sections 452, 323, 324 and 34 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

24.1.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No