

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

CRM-M-30771-2019 (O&M)
Date of Decision:-24.1.2020

Jagdev Singh and others ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.S. Brar, Advocate for the petitioners.

Mr. Saurav Khurana, Deputy Advocate General, Punjab.

Mr. A.S. Mann, Advocate for
Mr. I.S. Mann, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of FIR No.43 dated 13.5.2019 registered at Police Station Phool, District Bathinda under Sections 323, 458, 506, 427 and 149 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 22.7.2019, 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 Sub Divisional Judicial Magistrate, Phul has been received, wherein it has been reported that statements of petitioners/accused Jagdev Singh, Gurpreet Singh, Karnail Singh, Ranjit

Singh, Kewal Singh and also of complainant Gulshan Kumar have been recorded to the effect that they have compromised the matter amongst themselves.

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

The learned Sub Divisional Judicial Magistrate, Phul 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.43 dated 13.5.2019 registered at Police Station Phool, District Bathinda under Sections 323, 458, 506, 427 and 149 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