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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M No. 44620-2019

Date of Decision: 08.01.2020

Amir Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present : Mr. Vinay Kumar, Advocate
for the petitioners.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

Mr. Umesh Sharma, Advocate
for respondents No.2 and 3.

JASGURPREET SINGH PURI, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.162 dated 01.08.2019 under Sections 324, 323, 34 of IPC, (later on added 326 IPC), registered at Police Station Civil Line Batala, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise.

Vide order dated 22.10.2019, the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

learned Judicial Magistrate First Class, Batala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate had submitted report dated 14.12.2019, to the effect that the parties appeared in the Court on 03.12.2019 and suffered statements regarding compromise effected between them.

Learned Judicial Magistrate Ist Class, Batala had submitted a report before this Court and it had been mentioned in the report that in view of the order dated 22.10.2019, statements of complainant, injured/respondent No.3 and accused were recorded on 03.12.2019. It has been further stated in the report that the complainant and all the three accused have recorded their statements to the effect that the matter has been compromised voluntarily. There is no pressure or coercion on both the parties and the compromise is purely voluntary, genuine and valid one. The statement of ASI Gurmeet Singh was also recorded who stated that the present FIR was registered on the statement of the complainant against three persons namely Amir Singh, Baljinder Singh and Dharam Singh. He had further stated in the statement that there is no other case pending against either of the parties and petitioners/accused namely Amir Singh, Baljinder Singh and Dharam Singh and have not been convicted previously in any other case and have not been declared as proclaimed offenders.

In the report of Learned Magistrate he had also stated that the statements of both the parties have been recorded and the court is satisfied that the statements of the parties are bona fide and are not result of any pressure or coercion etc. It has been further stated in the report that the Court is satisfied with the compromise effected between them is genuine and is not result of any pressure or coercion. Furthermore, that no other person is involved in the present FIR except the present accused/petitioners namely Amir Singh, Baljinder Singh and Dharam Singh and no other case is pending against either of the parties and

petitioners/accused namely Amir Singh, Baljinder Singh and Dharam Singh and have not been convicted previously in any other case and have not been declared as proclaimed offender.

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the statement of the parties and the report submitted by the Judicial Magistrate First Class, Batala, this Court is of the view that the present petition deserves to be allowed and no useful purpose would be served by continuing with the proceedings before the trial Court in the instant FIR.

Thus, following the judgment in Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052 as well as Gian Singh Versus State of Punjab and others (2012) 10 SCC 303, this petition is allowed and F.I.R. No.162 dated 01.08.2019, under Sections 324, 323, 34 of IPC, (later on added 326 IPC) registered at Police Station Civil Line Batala, District Gurdaspur and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise.

(JASGURPREET SINGH PURI)
JUDGE

08.01.2020
Parveen Sharma

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No