

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

SMRITI
2020/03/06 16:36
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CRM-M-61555-2018

Date of decision: 04.03.2020

Avtar Singh and Others

... Petitioners

vs.

State of Punjab and Another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Umesh Sharma, Advocate
for respondent No.2.

VIVEK PURI, J. (ORAL)

Briefly, FIR bearing No.59 dated 16.05.2017 under Sections 434/295-A/323/336/506/148 and 149 IPC and Sections 25/27 of the Arms Act has been registered at Police Station Rajasansi, District Amritsar Rural on the score that on 16.05.2017, the petitioners had committed the assault on the complainant.

It has been stated that a compromise has been effected between the parties. However, it has been stated by learned State counsel that two other cases under Section 326 IPC have been registered against petitioner No.6-Gurjit Singh and one case under Section 326 IPC has been registered against petitioner No.9-Baldev Singh.

It has been pointed out by the learned counsel for the petitioners that petitioners No.6 and 9 are on bail in those cases.

On 20.12.2018, notice of motion was issued and parties were directed to appear before the trial Court/Illaq Magistrate for getting their statements recorded with regard to the compromise arrived at between them.

Pursuant to above-said order dated 20.12.2018, report has been received from Sub Divisional Judicial Magistrate, Ajnala. According to this report, statements of the parties have been recorded and the compromise is genuine and has been arrived at between the parties voluntarily, without any threat, coercion or undue influence.

Learned counsel appearing on behalf of the parties admit that the parties have settled their dispute.

In view of said circumstances and following the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others 2007(3) R.C.R. (Criminal) 1052***, the present petition is allowed and FIR bearing No.59 dated 16.05.2017 under Sections 434/295-A/323/336/506/148 and 149 IPC and Sections 25/27 of the Arms Act registered at Police Station Rajasansi, District Amritsar Rural and all the consequential proceedings having arisen therefrom are hereby quashed qua the petitioners.

(VIVEK PURI)
JUDGE

04.03.2020
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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No