

222.

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

CRM-M-39344-2020

Date of decision: 16.03.2021

RAVINDER SINGH @ GOLU AND OTHERS

... Petitioners

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gagandeep Singh Simble, Advocate,
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab,
for respondent No.1.

Mr. Varinder Basa, Advocate, for
Ms. Harmanpreet Kaur, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.170 dated 25.08.2020 registered under Sections 452, 307, 506, 148, 149 of IPC and Sections 25, 27, 29 of Arms Act, 1959 at Police Station Sadar Batala, Police District Batala, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 15.11.2020 (Annexure P-2).

This Court vide order dated 26.11.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Batala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.02.2021 to the effect that the compromise has been effected between the parties without any fear, pressure, threat or coercion and out of their free will.

Respondent No.2-complainant, namely, Harmanpreet Singh made his statement with regard to compromise before learned Magistrate on 22.01.2021. The same is reproduced as under:-

“Stated that the present case bearing FIR No.170 dated 25.08.2020 under Sections 452/307/506/148/149 IPC & 25/27/29 of Arms Act, 1959 registered at Police Station Sadar Batala was registered on my statement at Police Station Sadar Batala. The matter has been compromised with the accused with the intervention of respectables. We are living peacefully and we have no grudge against each other and I do not want to proceed against the accused namely Ravinder Singh son of Gurmeet Singh, Gurmeet Singh son of Kashmir Singh, Parasdeep Singh son of Amarjit Singh and Jarmanjeet Singh son of Lakha Singh all residents of Village Purian Kalan, Tehsil Batala, District Gurdaspur. I have suffered this statement without any coercion, pressure or undue influence and with my own free will. I have no objection if the present FIR be quashed. Copy of my Aadhar Card is Ex.C1.”

Counsel for the petitioners states that present is a case of no injury and therefore, in view of law laid down by the Hon'ble Apex Court in ***Narinder Singh & others Versus State of Punjab and another 2014(2) R.C.R. (Criminal) 482***, there is no impediment for quashing of FIR on the

basis of compromise.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.170 dated 25.08.2020 registered under Sections 452, 307, 506, 148, 149 of IPC and Sections 25, 27, 29 of Arms Act, 1959 at Police Station Sadar Batala, Police District Batala, District Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 15.11.2020 (Annexure P-2), however, that would be subject to payment of costs of Rs.10,000/- to be deposited by the petitioners with the High Court Bar Association in the Lawyers' Welfare Fund, within one month from today.

(HARI PAL VERMA)
JUDGE

16.03.2021
sanjeev

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