

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

257

**CRM-M-44732 of 2021
Date of Decision: 15.12.2021**

Bachittar Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Dheeraj Mahajan, Advocate,
for the petitioners.

Mr. Rana Harjasdeep Singh, DAG, Punjab

Ms. Sheenam Kamboj, Advocate,
for respondent no.2.

AMOL RATTAN SINGH, J. (ORAL)

By this petition, quashing of FIR No.26, dated 24.05.2016, is sought, registered at Police Station Ghanie Ke Bangar, Tehsil Batala, District Gurdaspur, for the alleged commission of an offence punishable under Section 379 of the IPC, on the basis of a compromise arrived at between the petitioners and respondent no.2, i.e. the complainant.

Pursuant to the order of this court dated October 28, 2021, the report of the learned JMIC, Batala, dated 10.11.2021, is on record, in which it is stated that the complainant in the FIR, i.e. respondent no.2, Haridev, appeared before that court and got recorded his statement to the effect that the matter has been compromised by him with the accused (petitioners) and that he has no objection if the FIR is quashed.

The petitioners (accused) are also stated to have made similar statements as regards the compromise entered into.

The investigating officer is also stated to have got recorded his statement before that court to the effect that four persons were arraigned as accused (petitioners), with there being only one victim/complainant, i.e. respondent no.2, Haridev.

The learned Magistrate has also stated that none of the accused has been declared to be proclaimed offender and that as per his assessment the compromise arrived at between the parties is wholly voluntary and without any pressure.

Last, it has been stated that as per the statements of the parties, no criminal proceedings are pending against any of them, other than the FIR in question, which was also stated by the investigating officer.

That being so, looking at the nature of the offences, without making any comment on the actual merits of the case, the petition is allowed and FIR No.26, dated 24.05.2016, registered at Police Station Ghanie Ke Bangar, Tehsil Batala, District Gurdaspur, for the alleged commission of an offence punishable under Section 379 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

December 15, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No