

David Masih and others

...Petitioners

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present: Mr.Aditya Pratap Singh, Advocate  
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

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**AMOL RATTAN SINGH, J. (Oral)**

Case heard by video conferencing.

By this petition, the petitioners seek quashing of FIR No.104, dated 04.11.2020, registered at Police Station Purana Shala, District Gurdaspur, alleging therein the commission of offences punishable under Sections 323, 324 and 34 of the IPC, as also all other subsequent proceedings arising therefrom, on the basis of a compromise (copy Annexure P-2), arrived at between the petitioners and respondents no.2 .

Pursuant to the order dated 04.12.2020, the report of the learned CJM, Gurdaspur, dated 12.01.2021, has been received, stating therein that the statements of the petitioners (David Masih, Gani and Sunny), i.e. the accused, as also of respondent no.2, i.e. the complainant in the FIR, Veer Singh, were recorded before that court, to the effect that the matter has been compromised between them of their own free will, without any pressure, coercion or undue influence.

As per that court the complainant also stated that there was no other person involved in the occurrence whose consent would be necessary for quashing of the FIR on the basis of the compromise.

The statement of the investigating officer is also stated to have been recorded, to the effect that there is no other criminal case pending against the petitioners except the one in question; with the opinion of that court being that indeed the matter had been compromised of the free will of the parties.

It is to be noticed that Ms.Sumiti Arora, Advocate, appearing for respondent no.2, does not deny the factum of compromise reached between the parties.

That being so, looking at the nature of the offences alleged to have been committed by the petitioners and the fact that the matter has been compromised between the petitioners and the complainant, the present petition is allowed and FIR No.104, dated 04.11.2020, registered at Police Station Purana Shala, District Gurdaspur, alleging therein the commission of offences punishable under Sections 323, 324 and 34 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

**February 16, 2021**

dharamvir/

**(AMOL RATTAN SINGH)  
JUDGE**

Whether speaking/reasoned : YES/NO

Whether Reportable : YES/NO