

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-24550-2022 (O&M)

Date of Decision:- 06.12.2022

Tarsem Singh and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Brijeshwar Singh Bhalla, Advocate, for the petitioners.

Mr. Luvinder Sofat, DAG, Punjab.

None for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners Tarsem Singh and Harwinder Singh @ Muchar have approached this Court seeking quashing of FIR No.17 dated 9.2.2017, Police Station Kot Ise Khan, District Moga, under Sections 341, 323, 506, 34 IPC (Sections 295 and 325 IPC added later on), and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 31.5.2022, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.
3. Report of learned Judicial Magistrate 1st Class, Moga, has been received, wherein it has been reported that the statements of petitioners/accused Tarsem Singh, Harwinder Singh @ Muchar and

complainant Lakhvir Singh have been recorded to the effect that they have compromised the matter amongst themselves.

4. The complainant Lakhvir Singh in his statement had stated that he has no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Moga, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.17 dated 9.2.2017, Police Station Kot Ise Khan, District Moga, under Sections 341, 323, 506, 34 IPC (Sections 295 and 325 IPC added later on) and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners.

06.12.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No