

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

257

CRM-M-36099-2020 (O&M)

Date of Decision: 06.05.2022

Jang Singh

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. D.S.Pheruman, Advocate, for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Tarundeep Kumar, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking quashing of FIR No.55 dated 25.03.2019 registered at Police Station City Phagwara, District Kapurthala, under Sections 3, 4 of the SC/ST Act and Section 66-F of the IT Act and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 05.11.2020, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.
3. Report of learned Sub Divisional Judicial Magistrate, Phagwara, has been received, wherein it has been reported that the statements of accused/petitioner, namely, Jang Singh as also of complainant

Jaswinder Singh @ Yash Barna have been recorded to the effect that they have compromised the matter amongst themselves.

4. The complainant Jaswinder Singh @ Yash Barna in his statement has stated that he has compromised the matter voluntarily without any coercion or undue influence.
5. The learned Sub Divisional Judicial Magistrate, Phagwara, has specifically opined that the parties have entered into compromise without any 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.55 dated 25.03.2019 registered at Police Station City Phagwara, District Kapurthala, under Sections 3, 4 of the SC/ST Act and Section 66-F of the IT Act and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner.

06.05.2022
Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**