

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

CRM-M-34929-2019 (O&M)

Date of Decision: 25.07.2022

Surjit Singh & others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Kamalpreet Bawa, Advocate, for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Shranav Katyal, Advocate, for respondents No.2 & 4.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.90 dated 11.07.2019 registered against them at Police Station Kot Ise Khan, Moga, under Sections 324/323/452/148/149 IPC (Section 326 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 28.08.2019, 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 Judicial Magistrate Ist Class, Moga, has been received, wherein it has been reported that the statements of accused/petitioners, namely, Surjeet Singh, Gurmeet Singh, Swaran Singh, Gurdev Singh and also of complainant and injured, namely, Baljeet Singh and Harwinder Kaur respectively, have been recorded to the effect that they have

compromised the matter amongst themselves. Gurbachan Singh, one of the injured, is stated to have expired on 23.11.2019.

4. Complainant Baljeet Singh and injured Harwinder Kaur in their respective statements have stated that they have no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate Ist Class, Moga, has specifically opined that the parties have entered into compromise voluntarily, out of free will of the complainant and without any inducement or pressure from the petitioner/accused.
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.90 dated 11.07.2019 registered at Police Station Kot Ise Khan, Moga, under Sections 324/323/452/148/149 IPC (Section 326 IPC added later on) and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

(GURVINDER SINGH GILL)
JUDGE

25.07.2022

Vimal

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

Whether reportable: **Yes/No**