

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

280

CRM-M-41211-2020 (O&M)

Date of Decision: 27.04.2022

Gulshan Singh & another

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Surinder Singh Duhan, Advocate, for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. Bhal Singh Beniwal, Advocate, for respondent No.2.

None for respondent No.3.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.159 dated 03.06.2020 registered at Police Station Salem Tabri, District Ludhiana, under Sections 379-B(2), 341, 411, 34 IPC and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 09.12.2020, 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 Judicial Magistrate Ist Class, Ludhiana, has been received, wherein it has been reported that the statements of accused/petitioners, namely, Gulshan Singh and Mandeep Singh and also

of complainant Rahish Kumar as well as of Vikas Kumar, who is an affected party in the FIR in question, have been recorded to the effect that they have compromised the matter amongst themselves.

4. The complainant Rahish Kumar Yadav and Vikas Kumar 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, Ludhiana has specifically opined that the parties have entered into compromise without there being any kind of influence or coercion.
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.159 dated 03.06.2020 registered at Police Station Salem Tabri, District Ludhiana, under Sections 379-B(2), 341, 411, 34 IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners.

27.04.2022
Vimal

(GURVINDER SINGH GILL)
JUDGE

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