

**109 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM M-24179-2019 (O&M)****Date of Decision: 11.08.2023**

Amanpreet Singh @ Gogi

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHUPresent: Mr. Shrey Goel, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

Mr. Prateek Rathi, Advocate
for respondent No.2.**MAHABIR SINGH SINDHU. J.**

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.94 dated 07.07.2013 under Sections 323, 324, 451, 427 & 506 read with Section 34 of the Indian Penal Code, 1860 (for short, '*the IPC*') at Police Station Shimla Puri (**P-1**) along with all consequential proceedings arising therefrom on the basis of compromise (**P-2**), entered into between the parties i.e. petitioner as well as respondent No.2.

2. The FIR was lodged on the statement of Mohd. Saleem in which he stated that accused Amanpreet Singh @ Gogi and Jassi gave kirpaan blow to him, his son Arif and brother Jaggi. The complainant started shouting on which the accused fled away from the spot.

3. The Co-ordinate Bench, while issuing notice of motion, on

19.08.2019, passed the following order:-

“In view of the matter, the parties are directed to appear before the trial Court/Area Judicial Magistrate on 02.09.2019 for getting their statements recorded with regard to the compromise arrived at between them.

The learned trial Court is directed to indicate (i) how many total accused are facing the trial, (ii) whether any of the accused was declared proclaimed offender at any stage of trial (iii) status/stage of the trial/case, (iv) to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise and (v) to send its report to this Court through District and Sessions Judge, before the next date of hearing.”

4. In terms of aforesaid order, the statements of both the parties were recorded by learned Judicial Magistrate Ist Class, Ludhiana and submitted a report dated 06.07.2021. The operative part of the same reads as under:-

“From the statements of the parties, it appears that compromise is genuine and voluntary and without any inducement, threat or pressure. ”

5. A perusal of the aforesaid report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no objection by either of the parties against the compromise.

6. Learned State Counsel, on instructions from the police official present in the Court, also submitted that they have no objection in case the aforesaid FIR as well as consequential proceedings are quashed on the basis of the compromise effected between the parties.

7. In view of above, quashing of the FIR in question along with consequential proceedings, on the basis of compromise would bring peace and harmony to secure the ends of justice.

8. Consequently, present petition is allowed; aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioner. However, as a deterrence for the future, petitioner is burdened with

costs of Rs. 5000/-. Costs be deposited with Punjab and Haryana High Court
Bar Association, Chandigarh Lawyers Family Welfare Fund.

11.08.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No