

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

CRM-M-34821-2023(O&M)

Date of Decision:- 14.02.2024

Boota Singh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr.Ajay Singh, Advocate
for Mr. Nirmaljeet Singh Sidhu, Advocate, for the petitioners.

Mr. Vinay Kumar Malhotra, DAG, Punjab.

Mr. Dhruv Kaushik, Advocate for respondents No. 2 to 4.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioners-Boota Singh, Baldev Singh, Gurditta Singh have approached this Court seeking quashing of FIR No.238 dated 27.10.2018, Police Station Sadar Khanna, Police District Khanna, District Ludhiana, under Sections 223, 224, 295, 447, 506 IPC (Later on challan was presented under Sections 323, 324, 295, 447, 506, 201, 34 IPC), and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Vide order dated 23.08.2023, the parties had been directed to appear before the trial Court/Illaqa Magistrate so as to get their statements recorded qua the factum of compromise.

3. Report of learned Judicial Magistrate 1st Class, Khanna, has been received, wherein it has been reported that separate statements of

accused/petitioners- Baldev Singh, Boota Singh and Gurditta Singh @ Gurjit Singh and legal heirs of deceased complainant-Jagpal Singh namely Harjit Kaur, Naginder Singh and eye witness Tarlochan Singh have been recorded to the effect that they have compromised the matter amongst themselves.

4. The legal heirs of deceased complainant-Jagpal Singh namely Harjit Kaur, Naginder Singh and eye witness Tarlochan Singh had stated that they have no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Khanna, 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.238 dated 27.10.2018, Police Station Sadar Khanna, Police District Khanna, District Ludhiana, under Sections 223, 224, 295, 447, 506 IPC (Later on challan was presented under Sections 323, 324, 295, 447, 506, 201, 34 IPC) and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners.

14.02.2024

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(GURVINDER SINGH GILL)

JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No