
(2020) 12 P&H CK 0013

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 26938 Of 2020 (O&M)

Jaswant Singh And Others

APPELLANT

Vs

State Of Punjab And Another

RESPONDENT

Date of Decision : 01-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 34, 323, 324, 326

Citation : (2020) 12 P&H CK 0013

Hon'ble Judges : Gurvinder Singh Gill, J

Bench : Single Bench

Advocate : Dheeraj Mahajan, Ajay Pal Singh Gill, Vipin Mahajan

Final Decision : Allowed

Judgement

Gurvinder Singh Gill, J

1. The petitioners have approached this Court seeking quashing of FIR No.42 dated 20.4.2020 registered at Police Station Bhaini Mian Khan, District

Gurdaspur under Sections 323, 324 and 34 of Indian Penal Code, wherein offence under Section 326 IPC was added lateron, and all subsequent

proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Vide order dated 24.9.2020, the parties had been directed to appear before the Illaqa Magistrate/Duty Magistrate so as to get their statements

recorded qua the factum of compromise.

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

petitioners/accused Jaswant Singh, Malook Singh, Charanjit Singh and Sardool Singh and also of complainant Balwant Singh have been recorded to the

effect that they have compromised the matter amongst themselves.

4. The complainant Balwant Singh in his statement has stated that he has no objection in case the FIR in question is quashed.

5. The learned Judicial Magistrate 1st Class, Gurdaspur 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.42 dated 20.4.2020 registered at Police Station Bhaini Mian Khan,

District Gurdaspur under Sections 323, 324 and 34 of Indian Penal Code, wherein offence under Section 326 IPC was added lateron and all

subsequent proceedings emanating therefrom are hereby quashed qua petitioners.