
(2020) 12 P&H CK 0286

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 27112 Of 2020 (O&M)

Sukhvir Singh And Others

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision : 16-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 148, 149 323, 379, 427

Citation : (2020) 12 P&H CK 0286

Hon'ble Judges : Gurvinder Singh Gill, J

Bench : Single Bench

Advocate : Arnav Sood, Ajay Pal Singh Gill, S.K.Choudhary

Final Decision : Allowed

Judgement

Gurvinder Singh Gill, J

1. The petitioners have approached this Court seeking quashing of FIR No.11, dated 19.3.2019, Police Station Nangal Bhoor, District Pathankot, under

Sections 323, 379, 427, 148, 149 IPC and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected

between the parties.

2. Vide order dated 9.11.2020, 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 1st Class, Pathankot, has been received, wherein it has been reported that the statements of

petitioners/accused Jeewan Kumar, Satwinder Singh, Bahadar Singh, Sham Lal, Samarjit Singh and also of complainant Davinder Kumar as well as of

injured Rakesh Ishwar Singh have been recorded to the effect that they have

compromised the matter amongst themselves. A perusal of report shows that petitioner No.1-Sukhvir Singh died on 21.11.2020.

3. The complainant/injured Davinder Kumar and Rakesh Ishwar Singh in their statement has stated that they have no objection in case the FIR in question is quashed.

4. The learned Judicial Magistrate 1st Class, Pathankot, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.

5. 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.11, dated 19.3.2019, Police Station Nangal Bhoor, District Pathankot,

under Sections 323, 379, 427, 148, 149 IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners No.2 to 6 and

stands abated qua petitioner No.1.