

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

241

CRM-M-1358-2021

Date of Decision: January 11, 2023

Jaskarmanjit Singh Bains

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

Mr. Susheel Gautam, Advocate for

Mr. Sanjeev Roy, Advocate for respondent No.2.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.135 dated 21.07.2020, registered under Sections 279, 337, 338, 427 IPC at Police Station Garshankar, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 01.09.2020 (Annexure P-3).

This Court vide order dated 31.03.2021 had directed the parties to appear before the trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Garhshankar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.12.2021 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Nitin Sharma had

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made his statement with regard to compromise before learned Magistrate on 03.12.2021.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R. following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.135 dated 21.07.2020, registered under Sections 279, 337, 338, 427 IPC at Police Station Garshankar, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 01.09.2020 (Annexure P-3), are quashed.

January 11, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

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