

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

242(02 cases)

CRM-M-3437 of 2020

Date of Decision:01.02.2023

Sandeep Khan @ Kala Khan and ors.

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ajit Pal Singh Pakka, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Jabanjeet Singh, Advocate for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.220 dated 05.10.2019 registered under Sections 458, 323, 148, 149 of the IPC registered at Police Station Lambi, Tehsil Gidderbaha, District Sri Muktsar Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 24.12.2019 as (Annexure P-2).

This Court vide order dated 27.01.2020 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before Learned Sub Divisional Judicial Magistrate, Malout and got their statements recorded. On the basis of the statements so recorded,

Learned Magistrate has submitted report dated 18.02.2020 to the effect

that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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.220 dated 05.10.2019 registered under Sections 458, 323, 148, 149 of the IPC registered at Police Station Lambi, Tehsil Gidderbaha, District Sri Muktsar Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 24.12.2019 as (Annexure P-2), are quashed.

February 01, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No