

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

251

CRM-M-2482 of 2022

Date of Decision: 19.01.2023

Dr. Hari Om Gupta and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amandeep Singh, Advocate for the petitioners.

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

Mr. Ankit Kharbanda, Advocate for
respondent Nos.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.189 dated 04.12.2021 registered under Sections 307, 323, 336 of the IPC (later on Section 307 of the IPC deleted) at Police Station Punjab Agriculture University (PAU), District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 04.12.2021 as (Annexure P-2).

This Court vide order dated 02.02.2022 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 Judicial Magistrate Ist Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 04.03.2022 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 respondents 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.189 dated 04.12.2021 registered under Sections 307, 323, 336 of the IPC (later on Section 307 of the IPC deleted) at Police Station Punjab Agriculture University (PAU), District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 04.12.2021 as (Annexure P-2), are quashed.

January 19, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No