

S. No.296

2023:PHHC:093481

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

CRM-M-4606 of 2023

Date of Decision:24.07.2023

Malkiat Singh alias Malkiaat Singh and othersPetitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vikas Gupta, Advocate for the petitioners.

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

Mr. Vikasdeep 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.106 dated 21.11.2008 registered at Police Station Verowal, District Tarn Taran, under Sections 307, 324, 506, 148, 149 IPC, besides Sections 25 and 27 of the Arms Act, 1959 and all subsequent proceedings arising therefrom qua the petitioners on the basis of compromise dated 05.01.2023 (Annexure P.2).

This Court vide order dated 18.04.2023 had directed the parties to appear before the trial Court/Area Magistrate 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, Khadur Sahib, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.06.2023 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.106 dated 21.11.2008 registered at Police Station Verowal, District Tarn Taran, under Sections 307, 324, 506, 148, 149 IPC, besides Sections 25 and 27 of the Arms Act, 1959 and all subsequent proceedings arising therefrom qua the petitioners on the basis of compromise dated 05.01.2023 (Annexure P.2), are quashed.

July 24, 2023

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No