

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-8319-2023

Date of Decision:29.05.2023

Balwinder Singh @ Heera & Ors.

.....Petitioners

Vs.

State of Punjab & Ors.

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vivek K. Thakur, Advocate
for the petitioners.

Mr. Randeep Singh Khaira, DAG, Punjab.

Mr. Varinder Singh, Advocate
for respondent Nos.2 to 4.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.297 dated 12.11.2020 registered under Sections 324, 148, 149 of the IPC registered at Police Station Kotwali Kapurthala, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 17.02.2023 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 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 06.03.2023 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 Nos.2 to 4 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.297 dated 12.11.2020 registered under Sections 324, 148, 149 of the IPC registered at Police Station Kotwali Kapurthala, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2), are quashed qua the petitioners.

May 29, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No