

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

**CRM-M-8967 of 2023
Date of decision : September 25, 2023**

Abhishek Sharma @ Shanky

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present :-Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG., Punjab
for respondent No.1.

Ms. Arti Kaur, 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.0113 dated 21.07.2018 registered under Sections 336 and 506 IPC and Sections 25 and 27 of the Arms Act, at Police Station Division C, Police Commissionerate Amritsar, District Amritsar along with all subsequent proceedings arising therefrom, on the basis of compromise dated 27.01.2023 (Annexure P-2).

This Court vide order dated 02.03.2023 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 Judicial Magistrate Ist Class, Amritsar, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.04.2023 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.0113 dated 21.07.2018 registered under Sections 336 and 506 IPC and Sections 25 and 27 of the Arms Act, at Police Station Division No.C, Police Commissionerate Amritsar, District Amritsar along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.2), are quashed.

(DEEPAK GUPTA)
JUDGE

September 25, 2023
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Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No