

CRM-M-10327 of 2021

Date of Decision: January 20, 2023

Mohkam Singh and another ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.P.S. Sandhu, Advocate for
Mr. P.B.S. Goraya, Advocate for
the petitioners.

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

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.01 dated 01.01.2021 registered under Section 336 IPC and Sections 25, 27 of Arms Act, at Police Station Civil Lines, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

This Court vide order dated 05.03.2021 had directed the parties to appear before the trial Court/Illaq 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 Chief Judicial Magistrate, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 07.04.2021 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State counsel has 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.01 dated 01.01.2021 registered under Section 336 IPC and Sections 25, 27 of Arms Act, at Police Station Civil Lines, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3), are quashed.

January 20, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No