

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

257 (02 cases)

CRM-M-10807-2021

Date of Decision:29.08.2023

Saurabh Rampal @ Saurabh Malhotra & Ors.
Vs.

.....Petitioners

State of Punjab & Anr.

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. A.S. Mann, Advocate for
the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. G.K. Mann, Sr. Advocate with
Mr. Anmol Jeevan Singh Gill, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of DDR No.42 dated 06.11.2020 registered under Sections 308, 452, 379-B, 323, 427, 506, 148, 149 of the IPC registered in F.I.R. No.225 dated 05.11.2020 registered under Sections 307, 336, 323, 148, 149 of the IPC & Sections 25/27 of Arms Act registered at Police Station Chheharata, District Police Commissionerate Amrtisar and all subsequent proceedings arising therefrom on the basis of compromise dated 01.02.2021 (Annexure P-3).

This Court vide order dated 15.03.2021 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 18.05.2021 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 DDR No.42 dated 06.11.2020 registered under Sections 308, 452, 379-B, 323, 427, 506, 148, 149 of the IPC registered in F.I.R. No.225 dated 05.11.2020 registered under Sections 307, 336, 323, 148, 149 of the IPC & Sections 25/27 of Arms Act registered at Police Station Chheharata, District Police Commissionerate Amrtisar and all subsequent proceedings arising therefrom on the basis of compromise dated 01.02.2021 (Annexure P-3), are quashed qua the petitioners.

August 29, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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