

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

291 (02 cases)

CRM-M-11729-2023

Date of Decision:17.07.2023

Basir Mohammad @ Vashir Mohammad @ Vishnu Mohammad & Ors.

.....Petitioners

Vs.

State of Punjab & Ors.

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

None for respondent Nos.2 to 5.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.72 dated 25.04.2022 registered under Sections 452, 323, 427, 148, 149 of the IPC registered at Police Station Talwandi Sabo, District Bathinda and all subsequent proceedings arising therefrom on the basis of compromise dated 14.11.2022 (Annexure P-2).

This Court vide order dated 09.03.2023 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

CRM-M-11729-2023

report dated 01.04.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State counsel 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.72 dated 25.04.2022 registered under Sections 452, 323, 427, 148, 149 of the IPC registered at Police Station Talwandi Sabo, District Bathinda and all subsequent proceedings arising therefrom on the basis of compromise dated 14.11.2022 (Annexure P-2), are quashed qua the petitioners.

July 17, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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