

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

250 (02 cases)

CRM-M-11855-2023
Date of Decision:03.07.2023

Rajwant Singh @ Binni and OthersPetitioners
Vs.
State of Punjab & AnotherRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Tanvir Joshi, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Harbir Singh Sandhu, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.21 dated 09.02.2023 registered under Sections 325, 341, 506 & 34 of the IPC, 1860 registered at Police Station Sadar Sri Muktsar Sahib District Sri Muktsar Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 01.03.2023 (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 Additional Chief Judicial Magistrate and got their statements

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recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 01.05.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Status report by way of an affidavit of Shri Avtar Singh, PPS, D.S.P. Sub Division, Sri Muktsar Sahib has been filed on behalf of respondent No.1- State.

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.21 dated 09.02.2023 registered under Sections 325, 341, 506 & 34 of the IPC, 1860 registered at Police Station Sadar Sri Muktsar Sahib District Sri Muktsar Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 01.03.2023 (Annexure P-2), are quashed qua the petitioners.

July 03, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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