

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

281

CRM-M-12983-2023

Date of Decision:13.07.2023

Gursewak Singh

.....Petitioner

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Paras Khindri, Advocate for
Mr. Avtar Singh Khinda, Advocate
for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Harjinder Singh, 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.42 dated 11.06.2022 registered under Sections 323, 325/34 of the IPC, 1860 registered at Police Station Talwandi Chaudharian, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 03.03.2023 (Annexure P-2).

This Court vide order dated 16.03.2023 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 report dated 05.07.2023 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.42 dated 11.06.2022 registered under Sections 323, 325/34 of the IPC, 1860 registered at Police Station Talwandi Chaudharian, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 03.03.2023 (Annexure P-2), are quashed qua the petitioner.

July 13, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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