

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

268A

CRM-M-13723-2023
Date of Decision:04.07.2023

Gurlal Singh and OthersPetitioners
Vs.
State of Punjab and OthersRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Divya Godara, Advocate for
Mr. Raminder Singh Joon, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Harchand Singh Bath, Advocate
for respondent Nos.2 to 4.

DEEPAK GUPTA, J.
Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of DDR No.37 dated 05.06.2022 registered under Sections 323, 324, 148, 149, 506 of the IPC, 1860 registered at Police Station City Patti, District Tarn Taran which is being investigated in F.I.R. No.89 dated 01.06.2022 registered under Sections 307, 323, 324, 148, 149, 506 of the IPC, 1860 and Section 25 of Arms Act, 1959 registered at Police Station City Patti, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 06.02.2023 (Annexure P-3).

This Court vide order dated 20.03.2023 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 Sub Divisional Judicial Magistrate and got their statements

recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 30.05.2023 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 Satnam Singh, PPS, Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran has been filed on behalf of respondent No.1- State.

Learned State counsel as well as learned counsel for respondent Nos.2 to 4 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.37 dated 05.06.2022 registered under Sections 323, 324, 148, 149, 506 of the IPC, 1860 registered at Police Station City Patti, District Tarn Taran which is being investigated in F.I.R. No.89 dated 01.06.2022 registered under Sections 307, 323, 324, 148, 149, 506 of the IPC, 1860 and Section 25 of Arms Act, 1959 registered at Police Station City Patti, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 06.02.2023 (Annexure P-3), are quashed qua the petitioners.

July 04, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No