

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

281

CRM-M-15715-2023

Date of Decision:03.08.2023

Gurmail Singh and Others

.....Petitioners

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Shubham Goyal, Advocate
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Piyush Setia, 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.101 dated 13.06.2022 registered under Sections 341, 323, 324, 34 of the IPC (Section 326 of the IPC added later on vide DDR No.40 dated 20.06.2022 and Section 307 of the IPC added later on vide DDR No.42 dated 29.06.2022) registered at Police Station Kartarpur, District Jalandhar Rural and all subsequent proceedings arising therefrom on the basis of compromise dated 15.02.2023 (Annexure P-3).

This Court vide order dated 16.05.2023 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, learned Magistrate has submitted report dated 28.07.2023 as per which neither complainant nor

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accused appeared in Court till 28.07.2023 and case has already been committed to the Court of Sessions on 03.01.2023.

Today learned counsel for the petitioners has placed on record the statements recorded by the parties before the Trial Court where the trial was pending as per which parties have compromised the matter voluntarily without any coercion or undue influence.

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.101 dated 13.06.2022 registered under Sections 341, 323, 324, 34 of the IPC (Section 326 of the IPC added later on vide DDR No.40 dated 20.06.2022 and Section 307 of the IPC added later on vide DDR No.42 dated 29.06.2022) registered at Police Station Kartarpur, District Jalandhar Rural and all subsequent proceedings arising therefrom on the basis of compromise dated 15.02.2023 (Annexure P-3), are quashed qua the petitioners.

August 03, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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