

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

235 (02 cases)

CRM-M-22670-2022

Date of Decision:04.08.2023

Mewa Singh and Others

.....Petitioners

Vs.

State of Punjab and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Satnam Singh, Advocate with
Mr. Sunil Kumar Dahiya, Advocate for
Mr. Harsh Chopra, Advocate for the petitioners.

Mr. Randeep Singh Khaira, DAG, Punjab.

Mr. Amit Kumar Saini, 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 F.I.R. No.47 dated 22.03.2021 registered under Sections 323, 341, 324, 34 of the IPC (Sections 325, 326 of the IPC added later on) registered at Police Station Machhiwara, Police District Khanna and all subsequent proceedings arising therefrom on the basis of compromise dated 29.03.2022 (Annexure P-3).

This Court vide order dated 24.05.2022 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 15.06.2022 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 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 F.I.R. No.47 dated 22.03.2021 registered under Sections 323, 341, 324, 34 of the IPC (Sections 325, 326 of the IPC added later on) registered at Police Station Machhiwara, Police District Khanna and all subsequent proceedings arising therefrom on the basis of compromise dated 29.03.2022 (Annexure P-3), are quashed qua the petitioners.

August 04, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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