

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

201

CRM-M-29717-2016 (O&M)

Date of Decision: 10.03.2023

Baljit Singh and others

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Arjun Lakhanpal, Advocate and
Mr. R.S. Chahal, Advocate for the petitioners.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.87 dated 16.07.2009 registered under Sections 307, 148, 149 of the Indian Penal Code, 1860 and Section 25/27 of Arms Act registered at Police Station Sadar, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 18.08.2016 as (Annexure P-2 and Annexure P-3).

This Court vide order dated 23.12.2016 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 recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 19.09.2016 to the effect

that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

After recording the statement of complainant-injured Puran Singh he had expired. However, his statement was already recorded before the Trial Court.

Learned State counsel has 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.87 dated 16.07.2009 registered under Sections 307, 148, 149 of the Indian Penal Code, 1860 and Section 25/27 of Arms Act registered at Police Station Sadar, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 18.08.2016 as (Annexure P-2 and Annexure P-3), are quashed.

March 10, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No