

S. No.300

2023:PHHC:093484

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

CRM-M-18859 of 2023 (O&M)

Date of Decision:24.07.2023

Gurjeet Singh and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Harish Kumar Bhatti, Advocate for the petitioners.

Mr. P.S. Pandher, AAG, Punjab.

Ms. Diksha, 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.40 dated 20.02.2020 registered under Sections 323, 341 and 506 IPC, later on Section 325 IPC has been added at Police Station City Rajpura, District Patiala and all consequential proceedings arising therefrom qua the petitioners on the basis of compromise dated 29.03.2023 (Annexure P.2).

This Court vide order dated 18.04.2023 had directed the parties to appear before the trial Court/Area Magistrate 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 Ist Class, Rajpura, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.06.2023 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.40 dated 20.02.2020 registered under Sections 323, 341 and 506 IPC, later on Section 325 IPC has been added at Police Station City Rajpura, District Patiala and all consequential proceedings arising therefrom qua the petitioners on the basis of compromise dated 29.03.2023 (Annexure P.2), are quashed.

July 24, 2023

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No