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

CRM-M-17879-2019

Date of Decision: 15.03.2023

Mohit KumarPetitioner

Versus

Kartar Singh and another Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Deepak Nayar, Advocate
for the petitioner.

Mr. Bhavesh Aggarwal, Advocate for
Mr. Dilpreet Singh, Advocate
for the respondents.

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MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 482 Cr.P.C.
for quashing Complaint No. 202/19933 dated 5.11.2012 under Sections
326, 324, 323, 365, 397, 341, 148, 149 IPC registered at Police Station
Gharinda, District Amritsar (Annexure P1) and summoning order dated
26.11.2014 passed the Judicial Magistrate First Class, Amritsar
(Annexure P2) on the basis of compromise dated 20.02.2019
(Annexure P-3) effected between the parties.

Since statement of the petitioner and complainant-
respondent No.1 had already been recorded and report in this regard
has already been received from the learned Additional District &
Sessions Judge, Amritsar, therefore, vide order dated 05.09.2022 of this
Court, only respondent No.2 was directed to appear before the learned

trial Court/Illaq Magistrate to get his statement recorded qua the factum of compromise.

Report has since been received from learned Additional Sessions Judge, Amritsar, in pursuance of the direction of this Court, wherein, the factum of the compromise arrived at between the petitioner and respondent No.2 stands verified and confirmed. As per the report, compromise had already been effected between the petitioner and respondent No.1 and report qua the same has already been sent by the Additional District & Sessions Judge, Amritsar, vide letter No. 20 dated 05.02.2020. As per report, the compromise effected between the petitioner and respondent No.2 is genuine, voluntary and without any coercion or undue influence and out of their free will. The respondent No.2 has also made statement to the effect that he would have no objection if the proceedings against the petitioner/accused are quashed.

The trial Court has annexed the statements of the petitioner and respondent No.2 in original, alongwith its report.

In view of the report of the learned additional Sessions Judge, Amritsar, and the principles laid down by the Apex Court in **‘Gian Singh Vs. State of Punjab and others’ (2012) 10 SCC 303**, and also by the Full Bench of this Court in **‘Kulwinder Singh and others v. State of Punjab and another’ 2007 (3) RCR (Criminal) 1052**, the instant petition is allowed. The aforesaid complaint and summoning order and all consequential proceedings are quashed.

Needless to say, the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

15.03.2023
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned	Yes / No
Whether Reportable:	Yes / No