

CRM-M No.25980 of 2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.294

CRM-M No. 25980 of 2021
Date of Decision: 15.11.2023

Mukesh Kumar & ors.

.....Petitioners

Vs.

State of Punjab & anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ajay Pal Singh Rehan, Advocate,
for the petitioners.

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

Mr. H.S. Aujla, Advocate, for
Mr. Sandeep Godara, Advocate,
for respondent No.2.

DEEPAK GUPTA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.49 dated 03.04.2021, registered under Sections 324, 323, 452, 148, 149 & 506 of IPC (Sections 326 & 307 IPC added subsequently) at Police Station Haryana, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 17.06.2021.

This Court vide order dated 11.10.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua

the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Hoshiarpur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 03.11.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Statement of father of respondent No.2-complainant, namely, Paramjit Singh (being special power of attorney holder of complainant-Sukhvir Singh @ Sukhbir Singh) with regard to compromise was recorded before learned Magistrate on 19.10.2023.

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.49 dated 03.04.2021, registered under Sections 324, 323, 452, 148, 149 & 506 of IPC (Sections 326 & 307

IPC added subsequently) at Police Station Haryana, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

15.11.2023
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(DEEPAK GUPTA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>