

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

318

CRM-M-24666-2023 (O&M)

Date of Decision: 21.08.2023

Malkiat Singh

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. K.S. Kahlon, Advocate, for the petitioner.
Mr. Parneet Singh Pandher, AAG, Punjab.
Mr. Amit Gupta, Advocate,
Mr. Montek Sandhu, Advocate, for respondents No.2 to 5.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.07 dated 01.02.2023, registered under Sections 279, 337,427 of the IPC at Police Station Ghanie Ke Bangar, Police District Batala, District Gurdaspur, and all subsequent proceedings arising therefrom on the basis of compromise dated 26.04.2023 (Annexure P-2).

This Court vide order dated 16.05.2023 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 13.06.2023 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 appearing for respondents No.2 to 5 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.07 dated 01.02.2023, registered under Sections 279, 337,427 of the IPC at Police Station Ghanie Ke Bangar, Police District Batala, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 26.04.2023 (Annexure P-2), are quashed qua the petitioner.

August 21, 2023
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(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No