

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

CRM-M-24624-2023
Date of Decision:23.08.2023

Partap Singh and OthersPetitioners
Vs.
State of Punjab and OthersRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lajpat Rai Sharma, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Lalit Pardhan, Advocate for
Ms. Seenu Ravish, Advocate for
respondent Nos.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.76 dated 14.07.2022 registered under Sections 336, 342, 323, 148, 149 of the IPC, 1860 and Sections 25, 27 of Arms Act, 1959 registered at Police Station Arniwala, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 16.08.2022 (Annexure P-2).

This Court vide order dated 15.05.2023 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 21.08.2023 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 Nos.2 & 3 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.76 dated 14.07.2022 registered under Sections 336, 342, 323, 148, 149 of the IPC, 1860 and Sections 25, 27 of Arms Act, 1959 registered at Police Station Arniwala, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise/affidavit dated 16.08.2022 (Annexure P-2), are quashed qua the petitioners.

August 23, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No