

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

287A

CRM-M-26048-2023
Date of Decision:13.07.2023

Baldev Singh and OthersPetitioners
Vs.
State of Punjab and OthersRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sumit Singh Brar, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Mohan Singh Chauhan, Advocate
for respondent Nos.2 to 5.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of GD No.38 dated 08.11.2021 registered under Sections 323, 324, 341, 148, 149, 506 of the IPC (Sections 325, 326, 452, 427, 509, 506/34 of the IPC were added later on) registered as cross case in F.I.R. No.229 dated 08.11.2021 registered under Sections 323, 509, 148, 149, 506 of the IPC (Sections 324, 325, 326, 341, 452, 427, 509, 506, 148, 149/34 of the IPC added later on) registered at Police Station Dasuya, District Hoshiarpur, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 02.04.2023 (Annexure P-3/T).

This Court vide order dated 22.05.2023 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 11.07.2023 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 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 GD No.38 dated 08.11.2021 registered under Sections 323, 324, 341, 148, 149, 506 of the IPC (Sections 325, 326, 452, 427, 509, 506/34 of the IPC were added later on) registered as cross case in F.I.R. No.229 dated 08.11.2021 registered under Sections 323, 509, 148, 149, 506 of the IPC (Sections 324, 325, 326, 341, 452, 427, 509, 506, 148, 149/34 of the IPC added later on) registered at Police Station Dasuya, District Hoshiarpur, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 02.04.2023 (Annexure P-3/T), are quashed qua the petitioners.

July 13, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No