

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-26395-2023
Date of Decision:28.07.2023

Rachhpal Khan @ Sonu and OthersPetitioners
Vs.
State of Punjab and AnotherRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. I.S. Brar, Advocate for
Mr. K.S. Brar, Advocate for
the petitioners.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Gaganpreet Singh, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.141 dated 26.12.2011 registered under Sections 457, 380 of the IPC (Sections 427, 411, 34 of the IPC and Sections 25/54/59 of Arms Act were added later on) registered at Police Station Nathana, District Bathinda and all subsequent proceedings arising therefrom on the basis of compromise dated 17.05.2023 (Annexure P-2).

This Court vide order dated 24.05.2023 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 Additional Chief Judicial Magistrate and got their statements

recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 01.07.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State 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.141 dated 26.12.2011 registered under Sections 457, 380 of the IPC (Sections 427, 411, 34 of the IPC and Sections 25/54/59 of Arms Act were added later on) registered at Police Station Nathana, District Bathinda and all subsequent proceedings arising therefrom on the basis of compromise dated 17.05.2023 (Annexure P-2), are quashed qua the petitioners.

July 28, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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