

**253 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Neutral Citation No. 2023:PHHC:049027
CRM-M-53020 of 2018
Date of Decision: April 10, 2023**

Tarun Kumar alias Happy and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. Sandeep Sharma, Advocate for respondent Nos.2 to 4.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.158, dated 31.12.2016, registered under Sections 307, 34 of IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Ajnala, District Amritsar Rural and all subsequent proceedings arising therefrom qua the petitioners on the basis of compromise dated 01.08.2018 (Annexure P-2).

This Court vide order dated 16.03.2022 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 Sub Divisional Judicial Magistrate, Ajnala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.02.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Statements of Respondent No.2-complainant, namely, Rajbir Singh as well as respondent Nos.3 and 4/victim-injured, namely Sahil Arora and Sunny Sharma respectively were recorded with regard to compromise before learned Magistrate on 24.01.2023.

Learned State counsel has not disputed the factum of compromise effected between the parties.

In view of the above and keeping in view the nature of the injuries suffered by the victim/injured, 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.158, dated 31.12.2016, registered under Sections 307, 34 of IPC and Sections 25 and 27 of the Arms Act, 1959 at Police Station Ajnala, District Amritsar Rural and all subsequent proceedings arising therefrom qua the petitioners on the basis of compromise dated 01.08.2018 (Annexure P-2), are hereby quashed.

April 10, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No