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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-32219-2023 (O&M)

Date of decision: 13.09.2023

Gurwinder Singh @ Ginda

...Petitioner

VS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Ms. Simsi Dhir Malhotra, Advocate,
For the petitioner.

Mr. Mohit Thakur, AAG, Punjab.

Ms. Anmolpreet Kaur, Advocate for
Ms. Ekta Thakur, Advocate,
For respondent No.2.

ARUN MONGA, J. (ORAL)

Petitioner seeks quashing of FIR No.44 dated 11.05.2015 registered under Sections 323, 324, 326, 148, 149 of IPC at Police Station, Chabbewal, District Hoshiarpur and all other consequential proceedings arising therefrom on the basis of compromise dated 16.05.2023 (Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 07.07.2023 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 03.08.2023 of learned Judicial Magistrate Ist Class, Hoshiarpur had been received. Report reveals that statements of complainant party i.e. respondent No.2 as also of accused/present petitioner herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2 and accused/petitioner have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent No.2 states that she would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled “*Ramgopal and anr. V. The State of Madhya Pradesh*”¹ and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”².
6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.
7. Petition is thus allowed. FIR No.44 dated 11.05.2015 registered under Sections 323, 324, 326, 148, 149 of IPC at Police Station, Chabbewal, District Hoshiarpur and all proceedings emanating there from *qua* the petitioner stand quashed.
8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

13.09.2023
vandana

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

¹Criminal Appeal No.1489 of 2012