

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

286

CRM-M-29321-2023
Date of Decision:28.08.2023

Gurmeet Kaur and OthersPetitioners
Vs.
State of Punjab and OthersRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.S. Mahal, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. G.S. Ralhan, Advocate for
Mr. Sudhir Maandi, Advocate
for respondent Nos.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of criminal complaint case No.COMI-195-2021 dated 11.10.2021 (Annexure P-1) under Sections 326, 324, 323, 452, 295-A, 148 & 149 of the IPC along with the summoning order dated 04.03.2023 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Gurdaspur and all the subsequent proceedings arising therefrom on the basis of compromise dated 09.05.2023 (Annexure P-3).

This Court vide order dated 02.06.2023 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

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Learned Judicial Magistrate 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 15.07.2023 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 & 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 criminal complaint case No.COMI-195-2021 dated 11.10.2021 (Annexure P-1) under Sections 326, 324, 323, 452, 295-A, 148 & 149 of the IPC along with the summoning order dated 04.03.2023 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 09.05.2023 (Annexure P-3), are quashed qua the petitioners.

August 28, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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