

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

278 (02 cases)

CRM-M-29264-2023

Date of Decision:16.10.2023

Shamsher Singh @ Sonu and Another
Vs.

.....Petitioners

State of Punjab and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kushagra Mahajan, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Ankush Rampal, Advocate
for respondent Nos.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.332 dated 01.10.2022 registered under Sections 323, 324, 34 of the IPC (Section 326 of the IPC added later on) registered at Police Station Maqboolpura, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise dated 22.05.2023 (Annexure P-2).

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 Learned Judicial Magistrate 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted

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report dated 03.07.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Status report by way of an affidavit of Shri Gurinderbir Singh, PPS, Assistant Commissioner of Police, East, Amritsar City has been filed on behalf of respondent No.1- State.

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 F.I.R. No.332 dated 01.10.2022 registered under Sections 323, 324, 34 of the IPC (Section 326 of the IPC added later on) registered at Police Station Maqboolpura, District Amritsar and all subsequent proceedings arising therefrom on the basis of compromise dated 22.05.2023 (Annexure P-2), are quashed qua the petitioners.

(DEEPAK GUPTA)
JUDGE

October 16, 2023
Neetika Tuteja

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