

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

266

CRM-M-34231-2021

Date of Decision:27.07.2023

Malkit Singh and Others

.....Petitioners

Vs.

State of Punjab and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ajay Rana, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Dilpreet Singh Gandhi, Advocate for
Mr. Vikas Gupta, Advocate for
respondent Nos.2 to 4.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.158 dated 26.05.2015 registered under Sections 379, 382, 323, 506, 431, 326, 447, 148, 149 of the IPC, 1860 and Sections 25/27/54/59 of Arms Act, 1959 registered at Police Station Patti, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2015 (Annexure P-2).

This Court vide order dated 05.10.2021 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 report dated 29.10.2021 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 Nos.2 to 4 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.158 dated 26.05.2015 registered under Sections 379, 382, 323, 506, 431, 326, 447, 148, 149 of the IPC, 1860 and Sections 25/27/54/59 of Arms Act, 1959 registered at Police Station Patti, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 03.08.2015 (Annexure P-2), are quashed qua the petitioners.

July 27, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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