

(211)

2023:PHHC:106294

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

CRM-M-32098 of 2023 (O&M)

Date of Decision: August 17, 2023

Jaspal Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Harjeet Kaur, Advocate for the petitioners.

Mr. R.S. Khaira, DAG, Punjab.

Mr. Shiv C. Bhola, Advocate for respondents No.2 and 3.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of DDR No.22 dated 26.05.2023 registered under Section 323 IPC in F.I.R. No.49 dated 26.05.2023 registered under Sections 307, 323, 324, 341, 148, 149 IPC at Police Station Chamkaur Sahib, Rupnagar District Rupnagar, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.2).

This Court vide order dated 25.07.2023 had directed the parties to appear before the trial Court/Area Magistrate 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 Ist Class, Rupnagar, and got their statements recorded. On the basis of the statements so recorded,

learned Magistrate has submitted report dated 10.08.2023 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 and 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 DDR No.22 dated 26.05.2023 registered under Section 323 IPC in F.I.R. No.49 dated 26.05.2023 registered under Sections 307, 323, 324, 341, 148, 149 IPC at Police Station Chamkaur Sahib, Rupnagar District Rupnagar, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.2), are quashed.

August 17, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No