

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

244

CRM-M-28020 of 2019

Date of Decision: 19.01.2023

Gurmail Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Grewal, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

Mr. Gagan Bajaj, Advocate for
Mr. Fatehjeet Singh, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.97 dated 01.05.2019 registered under Sections 279, 337, 338, 427 of the IPC registered at Police Station Sadar Mansa, District Mansa and all subsequent proceedings arising therefrom on the basis of compromise dated 28.05.2019 as (Annexure P-2).

This Court vide order dated 30.01.2020 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 Ist Class, Mansa and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 30.11.2022 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 No.2 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.97 dated 01.05.2019 registered under Sections 279, 337, 338, 427 of the IPC registered at Police Station Sadar Mansa, District Mansa and all subsequent proceedings arising therefrom on the basis of compromise dated 28.05.2019 as (Annexure P-2), are quashed.

January 19, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No