

S. No.277

2023:PHHC:133169

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

CRM-M-31180 of 2023

Date of Decision:12.10.2023

Harpreet Singh @ Happy

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rahul Bhargava, Advocate for the petitioner.

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

Ms. Ramandeep Kaur Suhag, Advocate for respondent

No.2.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0007 dated 16.01.2023 registered under Sections 379B, 34 IPC at Police Station Maqboolpura, District Police Commissionerate Amritsar, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise dated 08.05.2023 (Annexure P.2).

This Court vide order dated 13.07.2023 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, Amritsar, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 28.08.2023 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 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.0007 dated 16.01.2023 registered under Sections 379B, 34 IPC at Police Station Maqboolpura, District Police Commissionerate Amritsar, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise dated 08.05.2023 (Annexure P.2), are quashed qua the petitioner.

October 12, 2023

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No