

229 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:133785
CRM-M-32387-2023
Date of Decision: October 13, 2023

Dhruv Verma and another ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mohd. Yousaf, Advocate for the petitioners.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Abdul Aziz, Advocate for respondent Nos.2 and 3.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.122 dated 05.11.2021, under Sections 458, 323, 341 and 34 of IPC, registered at Police Station City 2 Malerkotla, District Malerkotla and all subsequent proceedings arising therefrom on the basis of compromise dated 16.07.2022 (Annexure P-2).

2. This Court vide order dated 27.07.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Malerkotla and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.08.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Joint statement of complainant-Respondent No.2 Zafar Hussain @ Azhar Hussain and eye witness-respondent No.3 Fazal Hussain, with regard to compromise before learned Magistrate was recorded on 28.07.2023.

5. Learned State counsel as well as learned counsel for respondent Nos.2 and 3 have not disputed the factum of compromise between the parties.

6. 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.122 dated 05.11.2021, under Sections 458, 323, 341 and 34 of IPC, registered at Police Station City 2 Malerkotla, District Malerkotla and all subsequent proceedings arising therefrom on the basis of compromise dated 16.07.2022 (Annexure P-2) qua the petitioners, are hereby quashed.

October 13, 2023
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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No