

Neutral Citation No. 2023:PHHC:043492
CRM-M-38592-2021

245 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38592-2021
Date of Decision: March 22, 2023

Gurbaksh Singh and others **...Petitioners**

Versus

State of Punjab and another **...Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kamal Narula, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Kamaljeet Singh Mamrat, 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.44, dated 08.05.2021, registered under Sections 326, 324 and 34 of IPC at Police Station Makhu, District Ferozepur and all subsequent proceedings arising therefrom qua the petitioners on the basis of compromise dated 05.08.2021 (Annexure P-2).

This Court vide order dated 27.09.2021 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.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Zira and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 30.11.2021 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Malkit Singh was recorded with regard to compromise before learned Magistrate on 11.01.2021.

Learned State counsel has not disputed the factum of compromise effected 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.44, dated 08.05.2021, registered under Sections 326, 324 and 34 of IPC at Police Station Makhu, District Ferozepur and all subsequent proceedings arising therefrom qua the petitioners on the basis of compromise dated 05.08.2021 (Annexure P-2), are hereby quashed.

March 22, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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