

S. No.279

2023:PHHC:133232

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

CRM-M-33487 of 2023

Date of Decision:12.10.2023

Jaswinder Singh @ Jashan and others

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rajat Dogra, Advocate for the petitioners.

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

Mr. K.S. Brar, 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 rapat No.30 dated 02.05.2019 registered at Police Station City-1, Abohar, District Fazilka under Sections 341, 323, 506, 148, 149 IPC registered as cross version case of FIR No.72 dated 02.05.2019 registered at Police Station City-1, Abohar, District Fazilka under Sections 325, 323, 506, 148, 149 IPC along with all subsequent proceedings arising therefrom, on the basis of compromise effected between parties with mutual consent by way of affidavit of respondent No.2/ complainant dated 05.05.2023 (Annexure P.3).

This Court vide order dated 14.07.2023 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 Sub Divisional Judicial Magistrate, Abohar, 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 respondents No.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 rapat No.30 dated 02.05.2019 registered at Police Station City-1, Abohar, District Fazilka under Sections 341, 323, 506, 148, 149 IPC registered as cross version case of FIR No.72 dated 02.05.2019 registered at Police Station City-1, Abohar, District Fazilka under Sections 325, 323, 506, 148, 149 IPC along with all subsequent proceedings arising therefrom, on the basis of compromise effected between parties with mutual consent by way of affidavit of respondent No.2/ complainant dated 05.05.2023 (Annexure P.3), are quashed qua the petitioners.

October 12, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No