

S. No.281

2023:PHHC:133197

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

CRM-M-33841 of 2023

Date of Decision:12.10.2023

Rajinder Singh @ Rajan and othersPetitioners

Vs.

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lovish Rattan, Advocate for the petitioners.
Mr. P.S. Pandher, AAG, Punjab.
Mr. Surinder Sharma, Advocate for respondent
No.1.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.140 dated 08.11.2018 registered at Police Station Maqboolpura, District Amritsar under Sections 336, 506 IPC, 1860 and Sections 25, 27 of Indian Arms Act, 1959 along with all subsequent proceedings arising therefrom, on the basis of compromise dated 01.04.2023 (Annexure P.2).

At the outset, learned counsel for the petitioners seeks permission so as to withdraw the present petition qua petitioner No.7.

Petition is dismissed as withdrawn qua petitioner No.7.

This Court vide order dated 17.07.2023 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 06.10.2023 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.140 dated 08.11.2018 registered at Police Station Maqboolpura, District Amritsar under Sections 336, 506 IPC, 1860 and Sections 25, 27 of Indian Arms Act, 1959 along with all subsequent proceedings arising therefrom, on the basis of compromise dated 01.04.2023 (Annexure P.2), are quashed qua petitioners No.1 to 6.

October 12, 2023

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No