

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

280

CRM-M-34245-2023

Date of decision: 04.10.2023

Santosh Kumar and others

....Petitioners

V/s

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Sahil Bansal, Advocate, for the petitioners.
Mr. P.S. Pandher, Nagra, AAG, Punjab,
Mr. Sukhdeep Singh, 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.0087 dated 23.05.2023, registered at Police Station City Kotkapura, District Faridkot, under Sections 3(1) of SC and ST (Prevention of Atrocities) Act, 1989 and all the subsequent proceedings arising therefrom, on the basis of compromise dated 07.07.2023 (Annexure P-2).

This Court vide order dated 18.07.2023 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, Faridkot, 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.0087 dated 23.05.2023, registered at Police Station City Kotkapura, District Faridkot, under Sections 3(1) of SC and ST (Prevention of Atrocities) Act, 1989 and all the subsequent proceedings arising therefrom, on the basis of compromise dated 07.07.2023 (Annexure P-2), are quashed.

(DEEPAK GUPTA)
JUDGE

October 04, 2023
vcgarg

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