

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

283

CRM-M-36254-2023

Date of decision: 04.10.2023

Harjit Singh

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Kanhaiya Soni, Advocate, for the petitioner.

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

Mr. Pradeep Kumar, 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.0163 dated 17.10.2020, registered at Police Station Pasiana, District Patiala, under Sections 307 IPC and Section 27 of the Arms Act and all the subsequent proceedings arising therefrom, on the basis of compromise dated 14.07.2023 (Annexure P-5).

This Court vide order dated 27.07.2023 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, Patiala, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 11.08.2023 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 Nos.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 F.I.R. No.0163 dated 17.10.2020, registered at Police Station Pasiana, District Patiala, under Sections 307 IPC and Section 27 of the Arms Act and all the subsequent proceedings arising therefrom, on the basis of compromise dated 14.07.2023 (Annexure P-5), are quashed.

(DEEPAK GUPTA)
JUDGE

October 04, 2023
vcgarg

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