

S. No.233

2023:PHHC:157432

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

CRM-M-36352 of 2023

Date of Decision:08.12.2023

Bhupinder Goel and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ankush Thakral, Advocate
for the petitioners.

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

Mr. Pulkit Sachdeva, 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.40 dated 16.05.2002 registered under Sections 384, 388, 192, 211, 148, 149 IPC and Sections 25, 27 (Act No.54 of 1959) of the Arms Act along with all subsequent proceedings arising therefrom, on the basis of compromise.

This Court vide order dated 16.10.2023 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 Chief Judicial Magistrate, Ferozepur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 07.12.2023 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.40 dated 16.05.2002 registered under Sections 384, 388, 192, 211, 148, 149 IPC and Sections 25, 27 (Act No.54 of 1959) of the Arms Act along with all subsequent proceedings arising therefrom, on the basis of compromise, are quashed qua the petitioners.

December 08, 2023
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(DEEPAK GUPTA)
JUDGE

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