

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

285

CRM-M-37241-2023

Date of decision: 04.10.2023

Shivraj Singh and another

....Petitioners

V/s

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Rohtas Singh Brar, Advocate
Mr. Arshdeep Singh Brar, Advocate, for the petitioners.
Mr. P.S. Pandher, AAG, Punjab,
Mr. D.S. Virk, 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.119 dated 24.11.2021, registered at Police Station City Balachaur, District SBS Nagar, under Sections 323/341 of the IPC (Section 295-A added later on) and all the subsequent proceedings arising therefrom, on the basis of compromise/affidavit dated 27.03.2023 (Annexure P.2).

This Court vide order dated 01.08.2023 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, Balachaur, and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 30.08.2023 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.119 dated 24.11.2021, registered at Police Station City Balachaur, District SBS Nagar, under Sections 323/341 of the IPC (Section 295-A added later on) and all the subsequent proceedings arising therefrom, on the basis of compromise/affidavit dated 27.03.2023 (Annexure P.2), are quashed.

(DEEPAK GUPTA)
JUDGE

October 04, 2023
vcgarg

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