

312 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:139104
CRM-M-37392-2023
Date of Decision: October 31, 2023

Rana and others ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sukhmeet Singh, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. L.S. Mann, Advocate for

Mr. Puneet Sharma, 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.45 dated 06.04.2020, under Sections 364, 342, 323, 148, 149, 188, 269 of IPC and Section 3 of Epidemic Disease Act, 1897, registered at Police Station Mallanwala, District Ferozepur and all subsequent proceedings arising therefrom on the basis of compromise dated 15.03.2023 (Annexure P-2).

2. This Court vide order dated 03.08.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Zira and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.10.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Statements of Respondent Nos.2 and 3 with regard to compromise was recorded before learned Magistrate on 01.09.2023.

5. Learned State counsel as well as learned counsel for respondent Nos.2 and 3 have not disputed the factum of compromise between the parties.

6. 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.45 dated 06.04.2020, under Sections 364, 342, 323, 148, 149, 188, 269 of IPC and Section 3 of Epidemic Disease Act, 1897, registered at Police Station Mallanwala, District Ferozepur and all subsequent proceedings arising therefrom on the basis of compromise dated 15.03.2023 (Annexure P-2) qua petitioner(s), are hereby quashed.

October 31, 2023

sarita

(DEEPAK GUPTA)
JUDGE

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