

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

CRM-M-38210-2023
Date of decision: 07.11.2023

CHAMKAUR SINGH ALIAS PINTU

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Sarwinder Goyal, Advocate for the petitioner.

 Mr. Parneet Singh Pandher, AAG, Punjab.

 Mr. Rohit Duggal, Advocate for

 Mr. Raj Kumar Selwan, Advocate for respondent No.2.

 Mr. Ashish Kaushik, Advocate for

 Mr. Raj Kumar Selwan, Advocate
 for respondent No.3.

DEEPAK GUPTA J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.218 dated 03.08.2019, registered under Sections 323, 341, 379-B, 411, 506, 34 of IPC at Police Station Jamalpur, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 28.05.2023 effected between the petitioner and complainant-respondent No.2.

This Court vide order dated 22.08.2023 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.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Ludhiana and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 05.10.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Statement of Respondent No.2-complainant, namely, Brij Mohan with regard to compromise was recorded before learned Magistrate on 14.09.2023.

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.218 dated 03.08.2019, registered under Sections 323, 341, 379-B, 411, 506, 34 of IPC at Police Station Jamalpur, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner, are hereby quashed.

November 07, 2023
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(DEEPAK GUPTA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |