

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

268

CRM-M-42624-2020 (O&M)

Date of Decision:04.09.2023

Menka Devi and Others

.....Petitioners

Vs.

State of Punjab and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Dadwal, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Sahil Koundal, Advocate for
Mr. M.K. Dhot, Advocate for
respondent No.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.65 dated 30.04.2020 registered under Sections 364, 342, 323, 188, 269, 270, 271, 148, 149, 120-B, 506 of the IPC registered at Police Station Haryana, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 01.06.2020 (Annexure P-2).

Initially, only the complainant of the FIR namely Rajesh Kumar was impleaded as respondent No.2 and not the injured Kishore Singh. Vide order dated 17.12.2020 petitioners and respondent No.2- Rajesh Kumar were directed to appear before the Trial Court for getting their statements recorded regarding the compromise. Their statements were recorded as per the report received. Later on, it was revealed that main victim was Kishore Singh. He was permitted to be impleaded as respondent No.3 vide order dated 27.07.2023 and on the direction of the Court, petitioners and respondent No.3 appeared before the Trial Court for getting their statements

recorded.

Pursuant to the aforesaid orders, parties have appeared before Learned Judicial Magistrate 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 02.09.2021 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 & 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.65 dated 30.04.2020 registered under Sections 364, 342, 323, 188, 269, 270, 271, 148, 149, 120-B, 506 of the IPC registered at Police Station Haryana, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 01.06.2020 (Annexure P-2), are quashed qua the petitioners.

Pending application(s), if any also stands disposed of.

(DEEPAK GUPTA)
JUDGE

September 04, 2023
Neetika Tuteja

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