

S. No.304

2023:PHHC:148335

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

CRM-M-40913 of 2023

Date of Decision:21.11.2023

Surjit Singh and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sandeep Kumar Bokolia, Advocate
for the petitioners.

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

Mr. M.S. Toor, 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.60 dated 24.09.2018 registered under Sections 295-A, 341, 323, 34, 379-B IPC at Police Station Smalasar, District Moga, along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P.2).

This Court vide order dated 21.08.2023 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 Additional Sessions Judge, Moga and got their statements recorded. On the basis of the statements so recorded, learned Judge has submitted report dated 11.10.2023 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.60 dated 24.09.2018 registered under Sections 295-A, 341, 323, 34, 379-B IPC at Police Station Smalasar, District Moga, along with all subsequent proceedings arising therefrom, on the basis of compromise, are quashed qua the petitioners.

November 21, 2023
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(DEEPAK GUPTA)
JUDGE

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