

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

227A

CRM-M-44978-2022

Date of Decision:05.05.2023

Tarsem Lal and Others

.....Petitioners

Vs.

State of Punjab and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Aditya Pratap Singh, Advocate
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. Sandeep Sharma, Advocate
for respondent Nos.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of cross version in FIR No.146 dated 20.08.2009 in criminal case No.12 dated 21.01.2010 registered under Sections 323, 325, 148, 149, 326 (added subsequently) registered at Police Station Sadar Pathankot, District Gurdaspur, and all subsequent proceedings arising therefrom on the basis of compromise dated 31.08.2022 (Annexure P-3).

This Court vide order dated 30.09.2022 had directed the parties to appear before the trial Court 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 and got their statements

recorded. On the basis of the statements so recorded, Learned Additional Sessions Judge has submitted report dated 12.01.2023 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 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 cross version in FIR No.146 dated 20.08.2009 in criminal case No.12 dated 21.01.2010 registered under Sections 323, 325, 148, 149, 326 (added subsequently) registered at Police Station Sadar Pathankot, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 31.08.2022 (Annexure P-3), are quashed qua the petitioners.

May 05, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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