

299 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH

CRM-M-44943-2023
Date of decision: 29.11.2023

SAHIBDEEP SINGH AND ANR

...PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Vipin Mahajan, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Dhawaljeet Dutta, 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.50 dated 20.06.2023, registered under Sections 307, 506, 148, 149 of IPC and Section 25(6) of Arms Act, 1959 at Police Station Tibber, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 15.08.2023 (Annexure P-2).

2. This Court vide order dated 11.09.2023 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 Additional Chief Judicial Magistrate, Gurdaspur 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. Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. 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.50 dated 20.06.2023, registered under Sections 307, 506, 148, 149 of IPC and Section 25(6) of Arms Act, 1959 at Police Station Tibber, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

November 29, 2023
manisha

(DEEPAK GUPTA)
JUDGE

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