

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

Sr. No.247**CRM-M-47613-2022****Date of Decision: 10.05.2023**

KEWAL SINGH

.... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Ritesh Aggarwal, Advocate
for the petitioner.

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

Mr. Pankaj Bains, Advocate
for respondent No.2.

DEEPAK GUPTA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of GD No.23 dated 12.06.2013 in FIR No.28 dated 12.06.2013 registered under Sections 323/324 read with Section 34 IPC at Police Station Nandgarh, Bathinda (Annexure P-1), and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

This Court vide order dated 08.02.2023 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 its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned District and Sessions Judge, Bathinda and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated

06.03.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Resham Singh @ Sumandeep Singh has made his statement with regard to compromise before learned Magistrate on 28.02.2023.

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 GD No.23 dated 12.06.2013 in FIR No.28 dated 12.06.2013 registered under Sections 323/324 read with Section 34 IPC at Police Station Nandgarh, Bathinda (Annexure P-1), and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3), are quashed.

(DEEPAK GUPTA)
JUDGE

10.05.2023

M.Sikka

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No