

**309(2) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-45357-2023

Date of decision: 29.11.2023

DHARAM SINGH AND OTHERS

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Vikas Sonak, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Amaninder Singh Sekhon, Advocate
for respondent No.2 and 3.

DEEPAK GUPTA J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of cross version recorded vide DDR No.29 dated 17.06.2023 registered under Sections 323, 324 read with Section 34 IPC at Police Station Sadar Kotkapura, District Faridkot in F.I.R. No.77 dated 17.06.2023, registered under Sections 307/341/323/379/427/148/149/294/447 of IPC at Police Station Sadar Kotkapura, District Faridkot and all subsequent proceedings arising therefrom on the basis of compromise dated 22.08.2023 (Annexures P-3 & P-4).

2. This Court vide order dated 13.09.2023 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 Judicial Magistrate Ist Class, Faridkot and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 18.10.2023 to the effect that the compromise has been effected between the parties is voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as learned counsel for respondent No.2 and 3 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 DDR No.29 dated 17.06.2023 registered under Sections 323, 324 read with Section 34 IPC at Police Station Sadar Kotkapura, District Faridkot in F.I.R. No.77 dated 17.06.2023, registered under Sections 307/341/323/379/427/148/149/294/447 of IPC at Police Station Sadar Kotkapura, District Faridkot and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

November 29, 2023
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(DEEPAK GUPTA)
JUDGE

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