

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

264

CRM-M-47701-2022

Date of Decision:16.08.2023

Kuldeep Kumar and Others

.....Petitioners

Vs.

State of Punjab and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. V.S. Rishi, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Devesh Sharma, Advocate
for respondent Nos.2 to 5.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.25 dated 08.03.2022 registered under Sections 323, 452, 506, 427, 148, 149 of the IPC registered at Police Station Kathgarh, District Shaheed Bhagat Singh Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 04.07.2022 (Annexure P-2).

This Court vide order dated 19.01.2023 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 Sub Divisional Judicial Magistrate and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 29.07.2023 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 to 5 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.25 dated 08.03.2022 registered under Sections 323, 452, 506, 427, 148, 149 of the IPC registered at Police Station Kathgarh, District Shaheed Bhagat Singh Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 04.07.2022 (Annexure P-2), are quashed qua the petitioners.

August 16, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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