

306 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46462-2023

Date of decision: 08.11.2023

GURINDER SINGH @ GURINDERJIT SINGH AND ANR

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gurmeet Singh Saini, Advocate for the petitioners.
Mr. Parneet Singh Pandher, AAG, Punjab.
Mr. Sandeep Godara, Advocate for respondent Nos.2 and 3.

DEEPAK GUPTA J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.45 dated 14.05.2023, registered under Sections 307, 337, 338, 427 and 34 of IPC and Sections 25 and 27 of Arms Act, 1959 at Police Station Sadar Batala, Police District Batala, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 29.05.2023.

2. This Court vide order dated 15.09.2023 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, Batala and got their statements recorded.

On the basis of the statements so recorded, learned Magistrate has submitted

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

4. Statements of respondent Nos.2 and 3-complainants, namely, Parminderpal Singh and Jagroop Singh with regard to compromise were recorded before learned Magistrate on 05.10.2023.

5. Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. 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.45 dated 14.05.2023, registered under Sections 307, 337, 338, 427 and 34 of IPC and Sections 25 and 27 of Arms Act, 1959 at Police Station Sadar Batala, Police District Batala and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

November 08, 2023
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(DEEPAK GUPTA)
JUDGE

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