

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(281)

CRM-M-48495-2023

Date of decision:- 13.12.2023

Kamaljit Singh @ Rahul @ Datar and ors.

...Petitioners

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Ms. Swati Verma, Advocate
for Mr. G.S. Simble, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Pratula Sethi, Advocate for respondents No.2 and 3.

DEEPAK GUPTA, J. (Oral)

1. By way of this present petition filed under Section 482 Cr.P.C. the petitioner prays for quashing of FIR No.19 dated 21.01.2023 under Sections 452, 326, 427, 506, 148, 149 of IPC registered at Police Station Civil Lines Batala, District Batala, and all subsequent proceedings arising therefrom on the basis of compromise dated 13.09.2023 (Annexure P-2) between the parties.

2. This Court vide order dated 25.09.2023 had directed the parties to appear before the trial Court/Area 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 First Class, Batala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 11.10.2023 to the effect that the compromise

has been effected between the parties voluntarily and without any

coercion or undue influence.

4. Statement of respondents No.2 and 3-complainant, namely, Girdari Lal Singh and Sukhwinder Kumar respectively with regard to compromise was recorded before learned Magistrate on 30.09.2023.

5. Learned State counsel as well as learned counsel for respondent No.2 and 3 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 reported as 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others reported as (2012) 10 SCC 303*, this petition is allowed and FIR No.19 dated 21.01.2023 under Sections 452, 326, 427, 506, 148, 149 of IPC registered at Police Station Civil Lines Batala, District Batala and all subsequent proceedings arising therefrom on the basis of compromise dated 13.09.2023 (Annexure P-2), qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

13th December, 2023

spn

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No