

S. No.248

2023:PHHC:051519

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

CRM-M-51195 of 2022

Date of Decision:13.04.2023

Shadi Lal and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Prince Singh, Advocate for
Mr. Gaurav Dutta, Advocate for the petitioners.

Mr. G.S. Shergill, AAG, Punjab.

Mr. Hardik Ahluwalia, Advocate for
Mr. Simarpreet Singh, Advocate for respondent
No.2- complainant.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.20 dated 27.04.2017 registered under Sections 323, 325 and 34 IPC at Police Station Pojewal, District SBS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 20.10.2022 (Annexure P-2).

This Court vide order dated 23.11.2022 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 Judicial Magistrate Ist Class, Balachaur and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 16.12.2022 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 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 FIR No.20 dated 27.04.2017 registered under Sections 323, 325 and 34 IPC at Police Station Pojewal, District SBS Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 20.10.2022 (Annexure P-2), are quashed.

April 13, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No