

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

252

CRM-M-52646 of 2022

Date of Decision: 25.01.2023

Kashish @ Kashish Lamba & anr.

.....Petitioners

Vs.

State of Punjab and anr.

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kanav Bansal, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Arun Gupta, Advocate for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.175 dated 15.05.2019 registered under Section 506 of the IPC, 1860 & Section 25/28-54-59 of Arms Act, 1959 registered at Police Station Kherki Daula, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 03.10.2022 as (Annexure P-2).

This Court vide order dated 15.09.2022 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 Judicial Magistrate Ist Class, Gurugram and got their statements recorded. On the basis of the statements so recorded,

Learned Magistrate has submitted report dated 02.01.2023 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 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 F.I.R. No.108 dated 01.09.2018 registered under Sections F.I.R. No.175 dated 15.05.2019 registered under Section 506 of the IPC, 1860 & Section 25/28-54-59 of Arms Act,1959 registered at Police Station Kherki Daula, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 03.10.2022 as (Annexure P-2), are quashed.

January 25, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No