

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

237

CRM-M-53308-2022

Date of Decision:04.08.2023

Mahabir Singh

.....Petitioner

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

None 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.07 dated 16.01.2018 registered under Section 307 of the IPC, 1860 and Section 25/27 of Arms Act, 1959 registered at Police Station Bhikhiwind, Tehsil Patti, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 08.11.2022 (Annexure P-2).

This Court vide order dated 21.11.2022 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 Sessions Judge and got their statements recorded. On the basis of the statements so recorded, Learned Sessions Judge has submitted report dated 09.12.2022 to the effect that the compromise has been effected

between the parties voluntarily and without any coercion or undue influence.

Learned State counsel has 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.07 dated 16.01.2018 registered under Section 307 of the IPC, 1860 and Section 25/27 of Arms Act, 1959 registered at Police Station Bhikhiwind, Tehsil Patti, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise dated 08.11.2022 (Annexure P-2), are quashed qua the petitioner.

August 04, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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