

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(283)

CRM-M-52791-2023

Date of decision:- 13.12.2023

Narain Singh and ors.

...Petitioners

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Ilyas Khan, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Sahil Garg, Advocate for respondent No.2.

DEEPAK GUPTA, J. (Oral)

1. Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.90 dated 10.04.2014 under Sections 323, 341, 506, 148, 149 of IPC and 201 (added later on) and Section 307 (deleted later on) registered at Police Station Dera Bassi and all subsequent proceedings arising therefrom on the basis of compromise deed by way of affidavit dated 01.08.2023 (Annexure P-2) between the parties.

2. This Court vide order dated 17.10.2023 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 Sub Divisional Judicial Magistrate, Dera Bassi and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 29.11.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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4. Statement of respondent No.2-complainant, namely, Gulab Singh with regard to compromise was recorded before learned Magistrate on 15.11.2023.

5. Learned State counsel as well as learned counsel for respondent No.2 has 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 FIR No.90 dated 10.04.2014 under Sections 323, 341, 506, 148, 149 of IPC and 201 (added later on) and Section 307 (deleted later on) registered at Police Station Dera Bassi and all subsequent proceedings arising therefrom on the basis of compromise deed by way of affidavit dated 01.08.2023 (Annexure P-2), qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

13th December, 2023

spn

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