

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-58025-2022

Date of Decision:28.04.2023

Balwant Singh and Others

.....Petitioners

Vs.

State of Punjab and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Jagjeet Singh, Advocate for
Mr. Amit Arora, Advocate for
the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Ms. Meena, Advocate for
Mr. P.S. Kanwar, Advocate
for respondent Nos.2 to 4.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.76 dated 15.03.2018 registered under Sections 307, 323, 148, 149 of the IPC registered at Police Station City Tarn Taran, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 19.12.2022 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 Chief Judicial Magistrate and got their statements recorded. On the basis of the statements so recorded, Learned

Magistrate has submitted report dated 28.03.2023 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.76 dated 15.03.2018 registered under Sections 307, 323, 148, 149 of the IPC registered at Police Station City Tarn Taran, District Tarn Taran and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2), are quashed qua the petitioners.

April 28, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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