

Neutral Citation No. 2023:PHHC:160570
CRM-M-52284-2023

Date of Decision: December 14, 2023

Sunil Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTAPresent: Mr. Amit Kumar Walia, Advocate,
for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

Ms. Shreya Rana, 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.181 dated 01.09.2022, registered under Sections 323, 379, 34 of IPC, 1860 (Sections 379-B and 120-B IPC added after deleting Section 379 IPC) at Police Station Sadar Dhuri, District Sangur, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2023 (Annexure P-2).

2. This Court vide order dated 16.10.2023 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 dated 27.09.2023.

3. Pursuant to the aforesaid order, parties have appeared before learned Additional Sessions Judge, Sangrur and got their statements recorded.

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On the basis of the statements so recorded, learned Additional Sessions Judge has submitted a report dated 05.12.2023 to the effect that the compromise dated 27.09.2023 has been effected between the parties voluntarily and without any coercion or undue influence.

4. Statement of Respondent No.2-complainant, namely, Sanjay Kumar @ Darbari Lal with regard to compromise was recorded before learned Additional Sessions Judge on 21.11.2023.

5. Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise dated 27.09.2023 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*** reported as ***2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others*** reported as ***(2012) 10 SCC 303***, this petition is allowed and FIR No.181 dated 01.09.2022, registered under Sections 323, 379, 34 of IPC, 1860 (Sections 379-B and 120-B IPC added after deleting Section 379 IPC) at Police Station Sadar Dhuri, District Sangur, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2023 qua petitioner, are hereby quashed.

December 14, 2023

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**(DEEPAK GUPTA)
JUDGE**

Whether reasoned/speaking:
Whether reportable:

Yes/No
Yes/No