

2023:PHHC:158967

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(278)

CRM-M-52589-2023

Date of decision:- 12.12.2023.

Deepak Kumar and ors.

...Petitioners

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Sandeep Arora, Advocate for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. G.S.Rawat, Advocate for respondents No.2 and 3.

DEEPAK GUPTA, J. (Oral)

1. Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.133 dated 24.09.2020, registered under Sections 452, 323, 324, 506, 148, 149, 34 of IPC at Police Station Mehtiana, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise 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 Judicial Magistrate First Class, Hoshiarpur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 17.11.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

CRM-M-52589-2023

2.

4. Statement of respondents No.2 and No.3-complainant, namely, Amrit Pal and Ajit Pal Singh respectively with regard to compromise was recorded before learned Magistrate on 06.11.2023.

5. Learned State counsel as well as learned counsel for respondents No.2 and 3 have 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 F.I.R. No.133 dated 24.09.2020, registered under Sections 452, 323, 324, 506, 148, 149, 34 of IPC at Police Station Mehtiana, District Hoshiarpur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

12th December, 2023
spn

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