

[245] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54215-2023
Date of Decision :15.12.2023

Balwinder Singh ...Petitioner

versus

State of Punjab and othersRespondents

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Jitender Singh Dadwal, Advocate for the petitioner.
Mr. Parneet Singh Pandher, AAG, Punjab.
None for respondent Nos.2 & 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.354 dated 23.11.2018, registered under Sections 279, 337, 338, 427 IPC, 1860 at Police Station Division No.7, Ludhiana, Punjab and all subsequent proceedings arising therefrom on the basis of compromise.

[2] This Court vide order dated 30.10.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his report qua the genuineness of the compromise.

[3] Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate, Ist Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 02.12.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or

[4] Joint statement of Respondent No.2-complainant, namely, Mohit Kumar and Chander Mohan with regard to compromise was recorded before learned Magistrate on 08.11.2023.

[5] Learned State counsel as well as respondent Nos.2 & 3 in their statements 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.354 dated 23.11.2018, registered under Sections 279, 337, 338, 427 IPC, 1860 at Police Station Division No.7, Ludhiana, Punjab and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

15.12.2023
'Rajneesh'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No