

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

241

CRM-M-58722-2022

Date of Decision:09.05.2023

Avtar Singh Dhillon and Another

.....Petitioners

Vs.

State of Punjab and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vicky Sharma, Advocate
for the petitioners.

Mr. Gurpreet Singh Shergill, AAG, Punjab.

Mr. Nitin Meel, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.126 dated 05.08.2022 registered under Sections 336, 341, 506, 34 of the IPC and Sections 25 & 27 of the Arms Act registered at Police Station City II Malerkotla, District Malerkotla, and all subsequent proceedings arising therefrom on the basis of compromise dated 08.12.2022 (Annexure P-2).

This Court vide order dated 16.12.2022 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 Sub-Divisional Judicial Magistrate and got their

statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 09.03.2023 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.126 dated 05.08.2022 registered under Sections 336, 341, 506, 34 of the IPC and Sections 25 & 27 of the Arms Act registered at Police Station City II Malerkotla, District Malerkotla and all subsequent proceedings arising therefrom on the basis of compromise dated 08.12.2022 (Annexure P-2), are quashed qua the petitioners.

May 09, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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