

**261 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-58917-2022

Date of Decision: January 16, 2023

Rahul @ Rahul Sabherwal and another ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amit Dhawan, Advocate for the petitioners.
Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Ramandeep Singh, Advocate for
Mr. Abhimanyu Vinayak, Advocate for respondent No.2.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.76 dated 30.03.2022, registered at Police Station Basti Bawa Khel, District Police Commissionerate Jalandhar, under Sections 323, 324, 451, 148 and 149 of IPC (Section 326 IPC added later on) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 16.12.2022 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/her report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Jalandhar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 23.12.2022 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent No.2-complainant, namely, Rahul Singh had

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made his statement with regard to compromise before learned Magistrate on 21.12.2022.

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 30.03.2022, registered at Police Station Basti Bawa Khel, District Police Commissionerate Jalandhar, under Sections 323, 324, 451, 148 and 149 of IPC (Section 326 IPC added later on) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2), are quashed.

January 16, 2023

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(DEEPAK GUPTA)

JUDGE

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