

Neutral Citation No. 2023:PHHC:160610
CRM-M-56998-2023
Date of Decision: December 14, 2023

Jatinder Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Ritesh Pandey, Advocate,
for the petitioners.

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

Mr. Azam Khan, 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 criminal complaint bearing No.COMI 222/2021 dated 23.11.2021 titled 'Hardilbagh Singh Vs. Jatinder Singh etc.' registered under Sections 447, 427, 323, 506, 379-B, 148 and 149 of IPC, 1860 pending in the Court of JMIC Gurdaspur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 25.08.2023.

2. This Court vide order dated 14.11.2023 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/her report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Gurdaspur and got their statements

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recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.11.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Statement of Respondent No.2-complainant, namely, Hardilbag Singh with regard to compromise was recorded before learned Judicial Magistrate on 21.11.2023.

5. Learned State counsel as well as learned counsel for respondent No.2 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*** 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 criminal complaint bearing No.COMI 222/2021 dated 23.11.2021 titled 'Hardilbagh Singh Vs. Jatinder Singh etc.' registered under Sections 447, 427, 323, 506, 379-B, 148 and 149 of IPC, 1860 pending in the Court of JMIC Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

December 14, 2023

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**(DEEPAK GUPTA)
JUDGE**

Whether reasoned/speaking:
Whether reportable:

Yes/No
Yes/No