

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

CRM-M-60236 of 2022

Date of Decision: February 17, 2023

Gurmukh Singh and others ...Petitioners
Versus
State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Shivender Pal, Advocate for Mr. B.S. Bhalla,
Advocate for the petitioners.

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

Ms. Ramneet Kaur Nijjar, 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.42 dated 23.03.2019 registered under Sections 452/324/323/34 IPC and Section 3 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) at Police Station Nihal Singh Wala, District Moga, on the basis of compromise dated 29.11.2022 (Annexure P-2).

This Court vide order dated 22.12.2022 had directed the parties to appear before the trial Court/Illaqa Magistrate 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, Nihal Singh Wala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.01.2023

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.42 dated 23.03.2019 registered under Sections 452/324/323/34 IPC and Section 3 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015) at Police Station Nihal Singh Wala, District Moga, on the basis of compromise dated 29.11.2022 (Annexure P-2), are quashed.

February 17, 2023

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(DEEPAK GUPTA)
JUDGE

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