

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

283

CRM-M-1182-2024
Date of Decision:18.04.2024

SUNNY KUMAR AND ANR.Petitioners

Vs.

STATE OF PUNJAB AND OTHERSRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kapil Khanna, Advocate
for the petitioners.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr. Naresh Chander, Advocate
for respondent Nos. 2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.0278 dated 08.12.2022 under Sections 323, 324, 326, 341, 148 and 149 of IPC, registered at Police Station City Kapurthala, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 03.01.2024 (Annexure P-2).

This Court vide orders dated 11.01.2024 and 26.02.2024 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 Chief Judicial Magistrate, Kapurthala and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 03.04.2024 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 counsel for respondent Nos.2 and 3 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 FIR No.0278 dated 08.12.2022 under Sections 323, 324, 326, 341, 148 and 149 of IPC, registered at Police Station City Kapurthala, District Kapurthala and all subsequent proceedings arising therefrom on the basis of compromise dated 03.01.2024 (Annexure P-2) are quashed qua the petitioners.

(DEEPAK GUPTA)
JUDGE

18.04.2024

pry

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