

Date of Decision : 16.02.2024

Sagar Deswal @ Sagar and others ...Petitioners

versus

State of Punjab and others Respondents

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : Mr. Yash Goyal, Advocate for
Mr. L.S. Sidhu, Advocate
for the petitioners.

Mr. Sahil R. Bakshi, DAG, Punjab.

Mr. Ishan Thakur, Advocate for respondent Nos.2 & 3.

DEEPAK GUPTA, J. (ORAL)

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.25, dated 10.02.2023, registered under Sections 323, 148, 149, 506, 427 of the IPC 1860 and further added Section 325 of Indian Penal Code, 1860, at Police Station Sadar Mansa, District Mansa, and all subsequent proceedings arising therefrom on the basis of compromise deed dated 29.11.2023 (Annexure P-5).

[2] This Court vide order dated 10.01.2024 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 the report qua the genuineness of the compromise.

[3] Pursuant to the aforesaid order, parties have appeared before learned Addl. Chief Judicial Magistrate, Mansa, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 22.01.2024 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, Naveen Kumar, with regard to compromise was recorded before learned Magistrate on 16.01.2024.

[5] Learned State counsel as well as learned counsel for respondent Nos.2 & 3 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 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.25, dated 10.02.2023, registered under Sections 323, 148, 149, 506, 427 of the IPC 1860 and further added Section 325 of Indian Penal Code, 1860, at Police Station Sadar Mansa, District Mansa, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

16.02.2024
'Rajneesh'

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