

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

296

CRM-M-6305-2024
Date of Decision:02.04.2024

HARMESH SINGH ALIAS RAMESHPAL AND ANOTHER
.....Petitioners

Vs.

STATE OF PUNJAB AND ANOTHER
.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioners.

Mr. Amandeep Singh, DAG, Punjab.

Mr. Jasjeet Singh Virk, Advocate for
Mr. Ajay Singh, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.107 dated 22.06.2023, under Sections 325, 323, 506 and 34 IPC, registered at Police Station Machhiwara, District Khanna, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 19.07.2023 (Annexure P-2).

This Court vide order dated 06.02.2024 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 Judicial Magistrate Ist Class, Samrala and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted

report dated 02.03.2024 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 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.107 dated 22.06.2023, under Sections 325, 323, 506 and 34 IPC, registered at Police Station Macchiwara, District Khanna, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 19.07.2023 (Annexure P-2) are quashed qua the petitioners.

(DEEPAK GUPTA)
JUDGE

02.04.2024
pry

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