

[279] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9654-2022

Date of Decision : 16.01.2024

Joban Singh alias Jobanpreet Singh
alias Sandeep Singh and others ...Petitioners

versus

State of Punjab and anotherRespondents

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

Present : Proxy for Mr. Vipin Mahajan, Advocate for the petitioners.
Mr. Mohit Thakur, AAG, Punjab.
Mr. Amit Kashayap, Advocate for the complainant.

DEEPAK GUPTA, J. (ORAL)

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.08 dated 18.02.2021, registered under Sections 307, 326, 325, 324, 323, 427, 379, 148 and 149 of IPC, 1860 at Police Station Ghuman, Police District Batala, District Gurdaspur, Punjab, and all subsequent proceedings arising therefrom on the basis of compromise dated 20.01.2022 (Annexure P-2).

[2] This Court vide order dated 08.03.2022 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 Judicial Magistrate Ist Class, Batala, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.03.2022 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or

[4] Statement of Respondent No.2-complainant namely, Ajmer Singh, with regard to compromise was recorded before learned Magistrate on 15.03.2022.

[5] In compliance of order dated 24.04.2023, it is informed today by learned State Counsel that injuries on the person of respondent No.2-complainant Ajmer Singh was found to be dangerous to life attracting Section 307 IPC. However, matter has already been compromised between the parties. Statement of parties have already been got recorded.

[6] Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

[7] 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.08 dated 18.02.2021, registered under Sections 307, 326, 325, 324, 323, 427, 379, 148 and 149 of IPC, 1860 at Police Station Ghuman, Police District Batala, District Gurdaspur, Punjab, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

16.01.2024

'Rajneesh'

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