

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9743-2024
Decided On: 06.05.2024

BALWINDER SINGH AND OTHERS

.....PETITIONER(s)

Versus

STATE OF PUNJAB AND OTHERS

.....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Kamal Narula, Advocate
for the petitioners.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr. Rakesh Kumar, Advocate
for respondent Nos.2 and 3.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.103 dated 02.09.2022, registered under Sections 307, 324, 323, 148, 149 of IPC (Section 326 IPC added later on) and Section 25/27 of Arms Act at Police Station Lakho Ke Behram, District Ferozepur and all subsequent proceedings arising therefrom on the basis of compromise dated 08.02.2024.

This Court vide order dated 04.03.2024 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 his/her report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Guruharsahai 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.

Statement of Respondent Nos.2 and 3, namely, Buta Singh and Chanan Singh with regard to compromise was recorded before learned Magistrate on 19.03.2024.

Learned State counsel as well as learned 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 F.I.R. No.103 dated 02.09.2022, registered under Sections 307, 324, 323, 148, 149 of IPC (Section 326 IPC added later on) and Section 25/27 of Arms Act at Police Station Lakho Ke Behram, District Ferozepur and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

06.05.2024
Aman Dua

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No