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274 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-10320-2023
Date of decision: 6th August, 2024

Gurcharan Singh @ Aman and others

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Lakhvir Kumar, Advocate for the petitioners.

Mr. A.S. Samra, AAG, Punjab.

Mr. Paramjit Singh Bal, Advocate for respondent No.2.

MANISHA BATRA, J (ORAL):-

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of DDR No.32 dated 02.06.2021 under Sections 323, 341, 506, 148, 149 of IPC, 1860 (Section 201 of IPC added later on) registered at Police Station Sahnewal, District Ludhiana in case FIR No. 9 dated 20.01.2021 registered under Sections 452, 323, 427, 506, 509, 148 and 149 of IPC, 1860 registered at Police Station Sahnewal, District Ludhiana and all

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the subsequent proceedings arising therefrom, on the basis of compromise dated 02.02.2023 (Annexure P-2).

2. This Court vide order dated 02.03.2023 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.

3. Pursuant to the aforesaid order, parties have appeared before Judicial Magistrate Ist Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 10.10.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. 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 DDR No.32 dated 02.06.2021 under Sections 323, 341, 506, 148, 149 of IPC, 1860 (Section 201 of IPC added later on) registered at Police Station Sahnewal, District Ludhiana in case FIR No. 9

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dated 20.01.2021 registered under Sections 452, 323, 427, 506, 509, 148 and 149 of IPC, 1860 registered at Police Station Sahnewal, District Ludhiana and all the subsequent proceedings arising therefrom, on the basis of compromise dated 02.02.2023 (Annexure P-2) are quashed qua the petitioners.

6. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

6th August, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |