



CRM-M No. 10856 of 2024 1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M No. 10856 of 2024
Date of Decision: 22.08.2024

Surjit Singh @ Sittu and othersPetitioners

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Amandeep Singh, Advocate for the petitioners.

Ms. Eklavya Darsi, DAG, Punjab.

Mr. Ankit Kharbanda, Advocate for respondent No. 2.

DEEPAK GUPTA, J.(ORAL)

1. Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0049 dated 28.02.2022, registered under Sections 354, 336, 325, 323, 148 and 149 of IPC and Section 25 of Arms Act, 1959 at Police Station Jandiala, District Amritsar Rural and all subsequent proceedings arising therefrom on the basis of compromise.

2. This Court vide order dated 02.07.2024 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.

3. Pursuant to the aforesaid order, petitioners (except petitioner No.6-Rehmat Singh) have appeared before learned Judicial Magistrate Ist Class, Amritsar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.08.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence. However,



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Magistrate Ist Class, Amritsar has recorded that no opinion can be given regarding the genuineness of compromise effected with him as petitioner No.6-Rehmat Singh did not appear for making his statement as directed by this Court. However, complainant-Baljit Kaur stated that she has entered into a compromise with all the nine petitioners (including petitioner No.6-Rehmat Singh), out of her own free will and without any undue influence, threat, coercion and pressure.

4. Statement of Respondent No.2-complainant, namely, Baljit Kaur with regard to compromise was recorded before learned Magistrate on 01.08.2024.

5. Learned State counsel as well as learned counsel for respondent No.2 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.0049 dated 28.02.2022, registered under Sections 354, 336, 325, 323, 148 and 149 of IPC and Section 25 of Arms Act, 1959 at Police Station Jandiala, District Amritsar Rural and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

22.08.2024

Rajeev (rvs)

(DEEPAK GUPTA)

JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No