

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

289-A

CRM-M-18577-2023
Date of Decision:24.04.2024

ANIL KUMAR AND ORS.

.....Petitioners

Vs.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Parminder Singh-I, Advocate
for the petitioner.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr.Arun Abrol, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of GD No.33 dated 04.02.2023 under Sections 365, 379-B, 452, 323, 148, 149, 427, 506 and 109 IPC and all subsequent proceedings arising out of GD No.33 in FIR No.15 dated 28.01.2023 under Sections 342, 457, 380, 427, 148 and 149 IPC, registered at Police Station Canal Colony, District Bathinda on the basis of compromise dated 11.03.2023 (Annexure P-2).

This Court vide order dated 24.05.2023 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.

Although as per the report received from the trial Court concerned, the parties did not appear for getting their statements recorded.

However, as is rightly pointed out by counsel for both the parties that parties have appeared in another petition i.e. CRM-M-17908-2023.

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 GD No.33 dated 04.02.2023 under Sections 365, 379-B, 452, 323, 148, 149, 427, 506 and 109 IPC and all subsequent proceedings arising out of GD No.33 in FIR No.15 dated 28.01.2023 under Sections 342, 457, 380, 427, 148 and 149 IPC, registered at Police Station Canal Colony, District Bathinda on the basis of compromise dated 11.03.2023 (Annexure P-2) are quashed qua the petitioners.

(DEEPAK GUPTA)
JUDGE

24.04.2024

pry

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