

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

289

CRM-M-17908-2023
Date of Decision:24.04.2024

AMIT KUMAR

.....Petitioner

Vs.

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Arun Abrol, Advocate
for the petitioner.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Mr. Parminder Singh-I, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of 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 and all subsequent proceedings arising therefrom on the basis of compromise dated 15.03.2023 (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.

Pursuant to the aforesaid order, parties have appeared before Additional Chief Judicial Magistrate, Bathinda and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 22.08.2023 to the effect that the compromise has

been effected between the parties voluntarily and without any coercion or undue influence.

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 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 and all subsequent proceedings arising therefrom on the basis of compromise dated 15.03.2023 (Annexure P-2) are quashed qua the petitioner.

(DEEPAK GUPTA)
JUDGE

24.04.2024
pry

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