



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-21346-2024 (O&M)
Date of Decision:-25.9.2024

Kuldeep Singh ... Petitioner
Versus
State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Avneet Kaur, Advocate for
Ms. Kirandeep Kaur, Advocate for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

Mr. N.S. Dharni, Advocate for
Ms. Sukhman Kaur, Advocate for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks quashing of FIR No.45, dated 1.4.2015 registered at Police Station Sadar Khanna, District Ludhiana, under Sections 279, 337 and 338 of Indian Penal Code as well as for setting aside of judgment of conviction and order of sentence dated 14.5.2019 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Khanna on the basis of a compromise having been effected between the parties. Vide judgment of conviction and order of sentence dated 14.5.2019 (Annexure P-2), the petitioner has been convicted and sentenced as under:

Sr. No.	Under Sections	Sentence	Fine	In default of payment of fine
1.	279 IPC	SI for 06 months	Rs.500/-	SI for 15 days
2.	337 IPC	SI for 06 months	Rs.500/-	SI for 15 days
3.	338 IPC	SI for 01 year	Rs.750/-	SI for 22 days

2. Vide order dated 30.4.2024, the parties had been directed to appear before the Appellate Court, where the appeal is pending, so as to get their statements recorded qua the factum of compromise.



- 3. Report of learned Additional Sessions Judge, Ludhiana has been received, wherein it has been reported that statements of petitioner/accused - Kuldeep Singh and also of complainant - Subedar as well as of victim/respondent No.2 - Subash Chand have been recorded to the effect that they have compromised the matter amongst themselves.
- 4. Complainant - Subedar as well as victim/respondent No.2 - Subash Chand in their statements have stated that they have no objection in case the FIR in question is quashed.
- 5. Learned Additional Sessions Judge, Ludhiana has specifically opined that the parties have entered into compromise voluntarily and without any undue influence.
- 6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.45, dated 1.4.2015 registered at Police Station Sadar Khanna, District Ludhiana, under Sections 279, 337 and 338 of Indian Penal Code and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner and judgment of conviction and order of sentence dated 14.5.2019 (Annexure P-2) passed by learned Judicial Magistrate 1st Class, Khanna is set aside and the petitioner is acquitted of the charges framed against him.

25.9.2024
Geeta

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking	Yes / No
Whether reportable	Yes / No