

CRM-M-31970-2024(O&M)

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2024:PHHC:131345



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-31970-2024(O&M)

Date of Decision: 03.10.2024

NANIA ALIAS ABISHEK ALIAS ABHISHEK AND OTHERS

....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Piyush Setia, Advocate for the petitioners.

Mr. Rubal Pawar, AAG, Punjab.

Mr. Paras Jagga, Advocate for

Mr. Ajay Kumar Dahiya, Advocate for respondents no.2 & 3.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.28 dated 28.03.2024 under Sections 308, 323, 148, 149 IPC registered at Police Station City-2, Abohar, District Fazilka and all the subsequent proceedings arising therefrom, on the basis of compromise dated 29.05.2024 (Annexure P-2).

2 . This Court vide order dated 08.07.2024 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 the learned Judicial Magistrate 1st Class, Abohar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.09.2024 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 & 3 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 FIR.

6. 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.28 dated 28.03.2024 under Sections 308, 323, 148, 149 IPC registered at Police Station City-2, Abohar, District Fazilka and all subsequent proceedings arising therefrom on the basis of compromise dated 29.05.2024 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

03.10.2024
Deepak Patwal

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