



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-33939-2024(O&M)
Date of Decision: 09.09.2024

JOGINDER SINGH AND ORSPetitioners
VERSUS
STATE OF PUNJAB AND ORSRespondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Yagsimant Attri, Advocate for the petitioners.

Mr. Satjot Singh, AAG, Punjab.

Mr. Rahul Verma, Advocate for respondents no.2 to 5.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.102 dated 02.08.2023 under Sections 323, 325, and 34 of IPC registered at Police Station Boha, District Mansa and all the subsequent proceedings arising therefrom, on the basis of compromise dated 22.12.2023 (Annexure P-2).

2. This Court vide order dated 18.07.2024 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, Budhlada 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. It is further submitted that learned counsel for the petitioners seeks withdrawal of the petition qua petitioner no.5-Ranjit Singh alias Bittu and respondent no.4-Krishan Singh as it was due to inadvertence, they were impleaded as a parties to the main petition. In view of this submission, the names of petitioner no.5 and respondent no.4 are ordered to be deleted from the array of the parties. Further report reveals that statement of the petitioners (except petitioner no.5-Ranjit Singh alias Bittu) and all other respondents (except respondent no.4-Krishan Singh) have been recorded separately.

4. Learned State counsel as well as counsel for respondents No.2 to 5 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.102 dated 02.08.2023 under Sections 323, 325, and 34 of IPC registered at Police Station Boha, District Mansa and all subsequent proceedings arising therefrom on the basis of compromise dated 22.12.2023 (Annexure P-2) are quashed qua the petitioners (except petitioner no.5 and respondent no.4).

(MANISHA BATRA)
JUDGE

09.09.2024
Deepak Patwal

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