

[270] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32458-2019
Date of Decision : 23.01.2024

Baghail Singh and another ...Petitioners
versus
State of Punjab and anotherRespondents

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA
Present : Mr. Vipin Mahajan, Advocate for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

Mr. Ketan Chopra, Advocate for Mr. Vishal Munjal,
Advocate for respondent No.2.

DEEPAK GUPTA, J. (ORAL)

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.51, dated 08.08.2017, registered under Sections 326, 324, 323, 379-B, 148 and 149 of IPC, 1860 and Sections 25 & 27 of the Arms Act, 1959, at Police Station Bhaini Mian Khan, District Gurdaspur, Punjab, and all subsequent proceedings arising therefrom on the basis of compromise dated 05.05.2019 (Annexure P-2).

[2] This Court vide order dated 18.09.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send the report qua the genuineness of the compromise.

[3] Pursuant to the aforesaid order, parties have appeared before learned Principal Magistrate, Juvenile Justice Board, Gurdaspur, and got their statements recorded. On the basis of the statements so recorded,

learned Magistrate has submitted report dated 09.01.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

[4] Statement of Respondent No.2-complainant namely, Sarabjit Singh, with regard to compromise was recorded before learned Magistrate on 03.01.2024

[5] Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

[6] 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 F.I.R. No.51, dated 08.08.2017, registered under Sections 326, 324, 323, 379-B, 148 and 149 of IPC, 1860 and Sections 25 & 27 of the Arms Act, 1959, at Police Station Bhaini Mian Khan, District Gurdaspur, Punjab, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

23.01.2024
'Rajneesh'