



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

276

CRM-M-37625-2024(O&M)
Date of Decision: 26.09.2024

HARPAL SINGH ALIAS HARPAL SINGH KHIPALPetitioner

VERSUS

STATE OF PUNJAB AND ANOTHERRespondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

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

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. Rahul Verma, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.34 dated 03.04.2018 under Sections 355, 365, 511, 341, 323 read with Section 34 of IPC registered at Police Station City Budhlada District Mansa but charges framed under Sections 365, 341, 323 read with Section 34 of IPC vide order dated 02.03.2024 and all the subsequent proceedings arising therefrom, on the basis of compromise dated 29.07.2024 (Annexure P-2).

2 . This Court vide order dated 05.08.2024 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 Sub Divisional Judicial Magistrate, Budhlada and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.09.2024 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 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.34 dated 03.04.2018 under Sections 355, 365, 511, 341, 323 read with Section 34 of IPC registered at Police Station City Budhlada District Mansa but charges framed under Sections 365, 341, 323 read with Section 34 of IPC vide order dated 02.03.2024 and all subsequent proceedings arising therefrom on the basis of compromise dated 29.07.2024 (Annexure P-2) are quashed qua the petitioner.

(MANISHA BATRA)
JUDGE

26.09.2024

Deepak Patwal

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