

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

CRM-M-43973-2023  
Date of Decision : 14.02.2024

Harmanjit Singh and others ...Petitioners  
versus  
State of Punjab and others ....Respondents

Coram : **HON’BLE MR. JUSTICE DEEPAK GUPTA**

Present : Ms. Sunita Devi, Advocate for  
Mr. Sunik Kumar, Advocate  
for the petitioners.  
  
Mr. Amandeep Singh, Dy. AG, Punjab.  
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**DEEPAK GUPTA, J. (ORAL)**

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.49, dated 09.06.2023, registered under Sections 323, 325, 148, 149 of IPC, 1860, at Police Station Tibber, District Gurdaspur, Punjab, and all subsequent proceedings arising therefrom on the basis of compromise dated 19.08.2023 (Annexure P-2).

[2] This Court vide order dated 04.09.2023 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 Additional Chief Judicial Magistrate, Gurdaspur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.09.2023 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, Balwinder Kumar, with regard to compromise was recorded before learned Magistrate on 12.09.2023.

[5] Learned State counsel as well as learned counsel for respondent Nos.2 & 3 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.49, dated 09.06.2023, registered under Sections 323, 325, 148, 149 of IPC, 1860, at Police Station Tibber, District Gurdaspur, Punjab, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)  
JUDGE

14.02.2024  
'Rajneesh'

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