



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-42016-2024(O&M)

Date of Decision: 01.10.2024

ROHIT KUMAR ALIAS ISHU AND ORS

....Petitioners

VERSUS

STATE OF PUNJAB AND ORS

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Ajay Kumar, Advocate for the petitioners.

Mr. Akshay Kumar, AAG, Punjab.

Mr. Bhupinder Gupta, 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 General Diary No.34 dated 28.12.2022 under Sections 323, 341, 506 and 34 of IPC (Section 201 of IPC added later on) in FIR No.346 dated 27.12.2022 registered under Sections 323, 451, 506 and 34 of IPC at Police Station Division No.5, District Police Commissionerate, Ludhiana, Punjab and all the subsequent proceedings arising therefrom, on the basis of compromise dated 20.04.2024 (Annexure P-3).

2 . This Court vide order dated 30.08.2024 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 Additional Chief Judicial Magistrate, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.09.2024 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 respondents 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 quashing of General Diary No.34 dated 28.12.2022 under Sections 323, 341, 506 and 34 of IPC (Section 201 of IPC added later on) in FIR No.346 dated 27.12.2022 registered under Sections 323, 451, 506 and 34 of IPC at Police Station Division No.5, District Police Commissionerate, Ludhiana, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 20.04.2024 (Annexure P-3) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

01.10.2024

Deepak Patwal

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