



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

259

CRM-M-43927-2024(O&M)

Date of Decision: 18.10.2024

GURKIRAT SINGH ALIAS GARRY AND ANRPetitioners

VERSUS

STATE OF PUNJAB AND ORS

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Vishal Mittal, Advocate for the petitioners.

Mr. Satjot Singh, AAG, Punjab.

Mr. Digvijay Nagapal, 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 FIR No.86 dated 11.08.2024 under Sections 115 (2), 118(1), 3 (5) of Bharatiya Nyaya Sanhita, 2023 and Section 3(1) (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Sadar Malout, District Sri Muktsar Sahib and all the subsequent proceedings arising therefrom, on the basis of compromise dated 30.08.2024 (Annexure P-2 to P-4).

2. This Court vide order dated 06.09.2024 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, Malout and got their statements recorded.



On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.09.2024 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 & 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 FIR No.86 dated 11.08.2024 under Sections 115 (2), 118(1), 3 (5) of Bharatiya Nyaya Sanhita, 2023 and Section 3(1) (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Sadar Malout, District Sri Muktsar Sahib and all subsequent proceedings arising therefrom on the basis of compromise dated 30.08.2024 (Annexure P-2 to P-4) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

18.10.2024
Deepak Patwal

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