

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46773-2023
DATE OF DECISION: 15.01.2024

BALJINDER SINGH AND ANOTHER
.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA.

Present: Mr. Shivam Garg, Advocate
for the petitioners.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0177 dated 07.07.2023, registered under Sections 406, 420 and 120-B of IPC at Police Station Patran, District Patiala and all subsequent proceedings arising therefrom on the basis of compromise.

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 his report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Samana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 14.12.2023 to the effect that the compromise has

been effected between the parties voluntarily and without any coercion or undue influence.

Statement of Respondent No.2-complainant, namely, Gurdiyal Singh with regard to compromise was recorded before learned Magistrate on 11.12.2023.

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

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.0177 dated 07.07.2023, registered under Sections 406, 420 and 120-B of IPC at Police Station Patran, District Patiala and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

15.01.2024

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(DEEPAK GUPTA)
JUDGE

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