

CRM-M-47104-2024(O&M)

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2024:PHHC:146075



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

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CRM-M-47104-2024(O&M)

Date of Decision: 08.11.2024

NAZAM SINGH ALIAS NAZU AND ANR

....Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Hem Raj Bhardwaj, Advocate for the petitioners.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. Suraj Kaundal, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.46 dated 31.05.2022 under Sections 324, 323, 34 of IPC (Section 326 IPC has been added in challan dated 18.02.2023) registered at Police Station Cheema District Sangrur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 30.08.2024 (Annexure P-3).

2. This Court vide order dated 20.09.2024 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, Sunam and got their statements



recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.10.2024 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.46 dated 31.05.2022 under Sections 324, 323, 34 of IPC (Section 326 IPC has been added in challan dated 18.02.2023) registered at Police Station Cheema, District Sangrur and all subsequent proceedings arising therefrom on the basis of compromise dated 30.08.2024 (Annexure P-3) are quashed qua the petitioners.

08.11.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

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