



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

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CRM-M-51495-2023(O&M)
Date of Decision: 01.10.2024

SURJIT PAL AND OTHERS

....Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Kanwarpal Singh, Advocate for
Mr. Vishal Nehra, Advocate for the petitioners.

Mr. Akshay Kumar, AAG, Punjab.

Mr. Avtar Singh Bhatti, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of case registered vide GD No.042 dated 03.04.2023 in FIR No.23 dated 03.04.2023 under Sections 341, 323, 34 of IPC registered at Police Station Chabbewal District Hoshiarpur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 14.05.2023 (Annexure P-2).

2. Coordinate of this Court vide order dated 12.10.2023 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, Hoshiarpur and got their statements



recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 27.10.2023 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 quashing of case registered vide GD No.042 dated 03.04.2023 in FIR No.23 dated 03.04.2023 under Sections 341, 323, 34 of IPC registered at Police Station Chabbewal District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of compromise dated 14.05.2023 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

01.10.2024

Deepak Patwal

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