



CRM-M-49269 of 2024

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

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CRM-M-49269 of 2024

Date of Decision: 20.11.2024

Gurdial Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ankur Bansal, Advocate for the petitioners.

Mr. Satjot Singh, AAG, Punjab.

Mr. G.S. Brar, Advocate for respondents No.2 and 3.

Manisha Batra, J.(Oral)

1. The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short-‘BNSS’) for quashing of G.D. No.54 dated 11.04.2019 under Sections 323, 325, 34 and 506 of IPC, at Police Station Rama Mandi, District Jalandhar in FIR No.83 dated 11.04.2019 under Sections 323, 341, 506, 34, 295-A and 325 of IPC, registered at Police Station Rama Mandi, District Jalandhar and all the subsequent proceedings arising therefrom, on the basis of compromise dated 05.09.2024 (Annexure P-2).

2. This Court vide order dated 01.10.2024 had directed the parties to appear before the Illaqa/Duty Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.



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3. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. Statement of petitioners No.2 and 3 have been recorded through video conferencing facility and they have also being represented by their Special Power of Attorney Holders. On the basis of the statements so recorded, learned Magistrate has submitted report dated 08.11.2024 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 and 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 G.D. No.54 dated 11.04.2019 under Sections 323, 325, 34 and 506 of IPC, at Police Station Rama Mandi, District Jalandhar in FIR No.83 dated 11.04.2019 under Sections 323, 341, 506, 34, 295-A and 325 of IPC, registered at Police Station Rama Mandi, District Jalandhar and all subsequent proceedings arising therefrom on the basis of compromise dated 05.09.2024 (Annexure P-2) are quashed qua the petitioners.

20.11.2024

D.Bansal

(MANISHA BATRA)
JUDGE