

[241] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56704-2023

Date of Decision : 19.01.2024

Shiv Shankar Pandey and others ...Petitioners

versus

State of Punjab and othersRespondents

Coram : **HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present : None for the petitioners.
Mr. Hakam Singh, AAG, Punjab.
None for respondent Nos.2 to 4.

DEEPAK GUPTA, J. (ORAL)

[1] Although, written request for adjournment has been received on behalf of learned counsel for the petitioners but report from the learned trial Court has been received, as per which, both the parties appeared before the learned trial Court and got their statements recorded regarding the compromise.

[2] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.196, dated 16.09.2023, registered under Sections 325, 323, 341, 506, 148 and 149 of IPC, 1860 at Police Station Tibba, District Ludhiana, and all subsequent proceedings arising therefrom on the basis of compromise deed dated 03.10.2023 (Annexure P-1).

[3] This Court vide order dated 09.11.2023 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 the report qua the genuineness of the compromise.

[4] Pursuant to the aforesaid order, parties have appeared before

learned Judicial Magistrate, Ist Class, Ludhiana, and got their statements

recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.12.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

[5] Statement of Respondent No.2-complainant namely, Dharmendra, with regard to compromise was recorded before learned Magistrate on 22.11.2023.

[6] Learned State counsel has not disputed the factum of compromise between the parties.

[7] 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.196, dated 16.09.2023, registered under Sections 325, 323, 341, 506, 148 and 149 of IPC, 1860 at Police Station Tibba, District Ludhiana, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

19.01.2024

'Rajneesh'

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