

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-53370-2023 (O&M)

Date of Decision:- 21.03.2024

Amit Kumar and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Hitesh Kumar Sammi, Advocate, for the petitioners.

Mr. Vishvajeet Singh Virk, DAG, Punjab.

Mr. Ripudaman S. Brar, Advocatge for
Mr. Om Malhan, Advocate, for respondent No.2.

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GURVINDER SINGH GILL, J. (Oral)

1. Petitioners-Amit Kumar and Rohit Kumar have approached this Court seeking quashing of FIR No.312, dated 20.11.2013, Police Station Basti Bawa Khel, District Jalandhar, under Sections 323, 324, 341, 342 IPC as well as judgment of conviction dated 15.2.2023 passed by learned Judicial Magistrate 1st Class, Jalandhar, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 20.12.2023, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.

3. Report of learned Additional Sessions Judge, Jalandhar, has been received, wherein it has been reported that the statement of petitioners/accused Amit Kumar, Rohit Kumar and complainant Diwakar Chaudhary have been recorded to the effect that they have compromised the matter amongst themselves.
4. The complainant Diwakar Chaudhary in his statement had stated that he has no objection in case the FIR in question is quashed.
5. The learned Additional Sessions Judge, Jalandhar, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.312, dated 20.11.2013, Police Station Basti Bawa Khel, District Jalandhar, under Sections 323, 324, 341, 34 IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioners and judgment of conviction dated 15.2.2023 passed by learned Judicial Magistrate 1st Class, Jalandhar are set aside and the petitioners are acquitted of the charges.

21.03.2024

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No