

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

CRM-M-55530-2023
Date of Decision : 19.01.2024

Gurwinder Sharma and another ...Petitioners
versus
State of Punjab and anotherRespondents

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

Present : Mr. Sukhwinder Singh Kamboj, Advocate
for the petitioners.

Mr. Hakam Singh, AAG, Punjab.

Mr. Randeep Singh Gill, Advocate for
Mr. G.S. Nahel, Advocate
for respondent No.2.

DEEPAK GUPTA, J. (ORAL)

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0177, dated 05.10.2022, registered under Sections 323/341/379-B and 506 of IPC, 1860 at Police Station Passayana, District Patiala, and all subsequent proceedings arising therefrom on the basis of compromise dated 19.10.2023 (Annexure P-2).

[2] This Court vide order dated 06.11.2023 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.

[3] Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate, Ist Class, Patiala, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 16.01.2024 to the effect that the compromise has

been effected between the parties voluntarily and without any coercion or undue influence.

[4] Statement of Respondent No.2-complainant namely, Gurvinder Singh, with regard to compromise was recorded before learned Magistrate on 06.12.2023.

[5] Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

[6] 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.0177, dated 05.10.2022, registered under Sections 323/341/379-B and 506 of IPC, 1860 at Police Station Passayana, District Patiala, 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