



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

278

CRM-M-58875-2023(O&M)

Date of Decision: 13.08.2024

SARAJ ALIAS BAU AND ORS

....Petitioners

VERSUS

STATE OF PUNJAB AND ANR

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Nitin Narula, Advocate for the petitioners.

Mr. Satjot Singh, AAG, Punjab.

Mr. Dinesh Trehan, 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 DDR/GD No.36, dated 27.07.2023 under Sections 307, 324, 323, 336, 148 & 149 of IPC and Sections 25, 27, 54 & 59 of Arms Act, in FIR No.0116 dated 27.07.2023 under Sections 307, 148 & 149 of IPC and Section 27 of Arms Act, 1959 registered at Police Station Sadar Ferozepur, District Ferozepur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 01.11.2023 (Annexure P-3).

2 . This Court vide order dated 07.02.2024 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 Addl. Chief Judicial Magistrate, Ferozepur and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.03.2024 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 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 DDR/GD No.36, dated 27.07.2023 under Sections 307, 324, 323, 336, 148 & 149 of IPC and Sections 25, 27, 54 & 59 of Arms Act, in FIR No.0116 dated 27.07.2023 under Sections 307, 148 & 149 of IPC and Section 27 of Arms Act, 1959 registered at Police Station Sadar Ferozepur, District Ferozepur and all subsequent proceedings arising therefrom on the basis of compromise dated 01.11.2023 (Annexure P-3) are quashed qua the petitioners.

13.08.2024

Deepak Patwal

(MANISHA BATRA)

JUDGE

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