



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

267

CRM-M-62164-2023(O&M)
Date of Decision: 11.09.2024

AVTAR SINGH AND ORS

....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Jagdeep S. Virk, Advocate for the petitioners.

Mr. Amandeep Singh Samra, AAG, Punjab.

Mr. Gursharan Singh, Advocate for respondents no. 2 to 5.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.0041 dated 26.07.2016 under Sections 323, 324, 148, 149 of IPC registered at Police Station Qila Lal Singh, Tehsil Batala, District Gurdaspur and all the subsequent proceedings arising therefrom, on the basis of compromise dated 22.11.2023 (Annexure P-4).

2. This Court vide order dated 12.03.2024 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 Judicial Magistrate 1st Class, Batala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has



submitted report dated 18.04.2024 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 to 5 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 FIR No.0041 dated 26.07.2016 under Sections 323, 324, 148, 149 of IPC registered at Police Station Qila Lal Singh, Tehsil Batala, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 22.11.2023 (Annexure P-4) are quashed qua the petitioners.

11.09.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

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