

Date of Decision : 12.02.2024

versus

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

Present : Mr. Sudhanshu Khanna, Advocate for the petitioners.
Mr. Rajeev K. Thakkar, DAG, Punjab.
Mr. Rhythem Bajaj, Advocate for respondent Nos.2 & 3.

[1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of Rapat No.33, dated 18.01.2017, registered under Sections 323, 148, 149 of the IPC, 1860 at Police Station City-I, Abohar, District Fazilka, and all subsequent proceedings arising therefrom on the basis of compromise dated 24.11.2023 (Annexure P-3).

[2] This Court vide order dated 19.12.2023 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, Abohar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.02.2024 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, Kanta Rani, with regard to compromise was recorded before learned Magistrate on 29.01.2024.

[5] Learned State counsel as well as learned counsel for respondent Nos.2 & 3 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 Rapat No.33, dated 18.01.2017, registered under Sections 323, 148, 149 of the IPC, 1860 at Police Station City-I, Abohar, District Fazilka, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

12.02.2024
'Rajneesh'

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