



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

283

CRM-M-1072-2023
Decided on : 14.01.2025

Pankaj Kumar

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Mandeep Singh, Advocate
for the petitioner(s).

Mr. Jasdeep Singh, DAG, Punjab.

Mr. Krishan Kanha, Advocate for
Mr. Vishal Mittal, Advocate, for respondent No.2.

SANJAY VASHISTH, J. (Oral)

1. The present petition under Section 482 Cr.P.C., has been filed by the petitioner, for quashing of FIR No. 203, dated 30.11.2022 (Annexure P-1), for the offences punishable under Sections 307, 324, 323, 380 and 34 IPC, registered at Police Station Kotwali Bathinda, District Bathinda, and all the consequential proceedings arising therefrom, on the basis of compromise dated 13.12.2022 (Annexure P-2).

2. On 19.03.2024, following order was passed by the Coordinate Bench of this Court:-

*“Present: Mr. Mandeep Singh, Advocate, for the petitioner.
Mr. Vishavjeet Singh Virk, DAG, Punjab.*

The petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Although offence under Section 307 IPC is also mentioned in the FIR, but learned counsel for the petitioner informed that upon investigation, offences under Sections 307 & 380 IPC have been deleted.



Learned State counsel has also endorsed the said factum of deletion of aforesaid two offences.

Since the petitioner asserts that an amicable settlement has been arrived at amongst the parties, this Court deems it appropriate that the statements of the parties be recorded so as to ascertain the factum of compromise.

As such, the parties are directed to move an application before the trial Court/Illaq Magistrate concerned for getting their statements recorded qua the factum of compromise. As and when any such application is moved and put up before the trial Court/Illaq Magistrate, the trial Court/Illaq Magistrate shall consider the said application and do the needful for recording the statements of the parties qua the factum of the compromise, on any convenient date. After recording the statements of all the affected parties, and upon getting requisite information from Investigating Officer, the trial Court/Illaq Magistrate shall submit its report on the basis of the statements so recorded, broadly on the following aspects:

- (i) Whether there is any other accused other than the petitioners, arrayed in this petition?*
- (ii) Whether there is any other complainant or affected/aggrieved party other than the respondents, arrayed in the petition?*
- (iii) Whether any accused has been declared Proclaimed Offender?*
- (iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion?*

The report be submitted before this Court on or before 28.08.2024.”

3. In pursuance thereto, learned Judicial Magistrate Ist Class, Bathinda, vide letter dated 22.08.2024 submitted his report to the effect that “as per statement of the complainant, the compromise is not genuine, voluntarily and without any kind of influence or coercion”.

4. Faced with the situation, counsel for the petitioner seeks withdrawal of the present petition.

5. Dismissed as withdrawn.

(SANJAY VASHISTH)
JUDGE

January 14, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No