



CRM-M-32435 of 2024

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

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CRM-M-32435 of 2024
Date of Decision: 08.01.2025

Vijay Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

Mr. Davinder Kumar, Advocate
for respondents No.2 and 3.

Manisha Batra, J.(Oral)

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.381 dated 27.06.2005 under Sections 326/325/323/34 of the IPC registered at Police Station Kotwali, Bathinda, District Bathinda and all the subsequent proceedings arising therefrom, on the basis of compromise dated 27.05.2024 (Annexure P-2).

2. This Court vide order dated 24.10.2024 had directed the parties to appear before the Illaqa/Duty Magistrate 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



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learned Chief Judicial Magistrate, Bathinda and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.11.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence. The co-accused is stated to be died.

4. Learned State counsel as well as counsel for respondents No.2 and 3 have not disputed the factum of compromise between the parties.

5. The petitioner has also been booked for commission of offence under Section 326 of IPC and is seeking quashing of the same on the basis of a compromise. Though, offence under Section 326 of IPC is not compoundable, however, the petitioner as well as respondents No.2 and 3 have entered into a compromise to maintain a peaceful relationship, any lingering hostility is likely to disturb the social fabric of their relationship in the light of their amicable settlement and the unequivocal consent of the complainant, this Court underscores the desire of the parties to put an end to all the disputes and, therefore, appropriate to allow the prayer made by the parties. In this context, this Court also relies upon the observations made by Hon'ble Supreme Court in *H.N. Pandakumar Vs. State of Karnataka 2025 Live Law (SC) 31*.

6. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

7. 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*

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Sections 326/325/323/34 of the IPC registered at Police Station Kotwali, Bathinda, District Bathinda and all subsequent proceedings arising therefrom on the basis of compromise dated 27.05.2024 (Annexure P-2) are quashed *qua* the petitioner.

08.01.2025*D.Bansal***(MANISHA BATRA)
JUDGE**

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