

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

**CRM-M-18359 of 2018
Date of decision : 20.02.2020**

Ajay Kumar

.... Petitioner

Versus

State of Punjab and another

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Petitioner in person along with
Mr. Shivoy Dhir, Advocate
for the petitioner.

Mr. Bhavna Gupta, DAG, Punjab.

Respondent No.2 in person along with
his daughter Khushboo.

MANJARI NEHRU KAUL, J (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.317 dated 06.09.2017, under Section 363, 366-A IPC, registered at Police Station Focal Point, Ludhiana on the basis of compromise dated 26.04.2018 (Annexure P-5) arrived at, between the parties.

Victim Khushboo along with her father is present in Court and states that compromise has been arrived with the petitioner.

Vide order dated 04.07.2018 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 11.07.2018 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from the learned Additional Sessions Judge, Ludhiana, in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will. The trial

Court has annexed the photocopy of the statements of the parties along with its report.

Learned State counsel also submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Additional Sessions Judge, Ludhiana, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

20.02.2020

rekha sharma

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No