

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

CRM-M-33558-2020

Date of Decision: 07.12.2020

GURINDER SINGH

.....*Petitioner*

V/s.

STATE OF PUNJAB AND OTHERS

.....*Respondents*

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present: Mr. Ripudaman Singh Sidhu, Advocate,
for the petitioner.

Mr. M.S. Nagra, Assistant Advocate General, Punjab.

Mr. H.P.S Isher, Advocate,
for the complainant/respondent No. 2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No.43, dated 03.04.2019, lodged under Section 420 of the Indian Penal Code, 1860, registered at Police Station Amloh, District Fatehgarh Sahib and the consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-2) arrived at, between the parties.

Vide order dated 26.10.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 09.11.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Amloh, in pursuance to the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands

verified and confirmed. 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 and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioner is quashed.

The trial Court has annexed the statements of the parties in original, alongwith its report.

Learned State counsel too 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 ASJ, Faridabad 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.

December 7, 2020

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned : *Yes /No.*

Whether Reportable : *Yes/No*