

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-51520-2019
Date of Decision: 13.02.2020

Harminder Kumar @ Mangi

...Petitioner(s)

Versus

State of Punjab and Anr.

...Respondent(s)

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

Present:- Mr.Liaqat Ali, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Sajida Akhtar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.80 dated 18.02.2018 under Sections 354, 354-B, 506, 509 IPC 1860, registered at Police Station Saleem Tabri, District Police Commissionerate Ludhiana and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 23.11.2019. (Annexure P-2) arrived at, between the parties.

Vide order dated 04.12.2019 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 06.01.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 22.01.2020 has since been received from the learned JMIC, 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 original copies of the statements of the parties

alongwith its report.

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

In view of the report of the learned JMIC, 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.

February 13, 2020
Sunil Devi

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No