

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

(Through Video Conferencing)

CRM-20392-2021 in/and

CRM-M-4759-2021

Date of Decision: 20.07.2021

JEETAIN MAHAJAN AND OTHERS

.....Petitioners

V/s.

STATE OF PUNJAB AND ANOTHER

.....Respondents

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

Present: Mr. Ashish Aggarwal, Advocate,
for the applicants-petitioners.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

Ms. Kulwinder Kaur, Advocate,
for respondent No.2.

MANJARI NEHRU KAUL, J. (Oral)

CRM-20392-2021

This application is filed by the petitioners under Section 482 of the Code of Criminal Procedure, 1973 for advancing the date of hearing in the main case from 20.08.2021 to an early date.

For the reasons mentioned in the application, the same is hereby allowed and main case is taken up for hearing today.

CRM-M-4759-2021

The instant petition is filed for quashing of FIR No.10 dated 26.01.2019 lodged under Section 323, 498-A, 406 and 120-B of the Indian Penal Code, 1860 registered at Police Station Dhariwala, District Gurdaspur, Punjab alongwith all consequential proceedings arising out of the same, on the basis of compromise dated 21.01.2021 (Annexure P-2).

Vide order dated 16.02.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

Reports dated 01.12.2020 has since been received from learned Chief Judicial Magistrate Gurdaspur, 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 he would have no objection if the FIR *qua* the petitioners 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 petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate 1st Class, Chandigarh 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 FIRs and all consequential proceedings arising out of the same are quashed.

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

July 20, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>