

CRM-20698-2021 IN/AND

CRM-M-12789-2021

Date of Decision: 23.07.2021

(Through Video Conferencing)

Sukhwinder Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Bhavna Kapur, Advocate, for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Ms. Aditi Arora, Advocate for respondent No.2.

MANJARI NEHRU KAUL J. (Oral)

CRM-20698-2021

This is an application under Section 482 Cr.PC for preponing the date of hearing from 08.09.2021 to an early date.

After hearing learned counsel for the applicant and with no objection from the opposite counsel, application is allowed and the main case is taken up for hearing today itself.

Main case

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No. 143 dated 20.08.2016 under Sections 406, 498-A IPC, registered at Police Station Sadar Jalandhar, District Jalandhar and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 16.12.2020 (Annexure P-2) arrived at, between the parties.

Vide order dated 19.03.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate within 15

days to get their statements recorded regarding the compromise arrived at, between them.

Report dated 06.04.2021 has since been received from the District and Sessions Judge, Jalandhar in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is genuine and without any kind of undue influence or pressure. There is no other accused involved in the occurrence. The trial Court has annexed the statements of the parties in original 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, Amritsar 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

July 23, 2021
hemlata

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No