

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

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CRM-M-27914 of 2021

Date of Decision: 14.12.2021

Navdeep Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.S. Sekhon, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

None for respondents No.2 and 3.

Manjari Nehru Kaul, J.(Oral)

The instant petition is for quashing of FIR No.87 dated 29.10.2019, lodged under Sections 363, 366-A and 120-B of the Indian Penal Code, 1860, registered at Police Station Mallanwala, District Ferozepur and the consequential proceedings arising out of the same, on the basis of compromise dated 18.03.2020 arrived at between the parties.

In compliance of the previous order dated 20.09.2021, admittedly, the Sections 363 and 366-A of IPC stands deleted in the case in hand and learned State counsel does not dispute the said fact.

Vide order dated 20.07.2021 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.

Report has since been received from learned Judicial

Magistrate Ist Class, Zira, 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 along with the daughter has also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioner is quashed.

As per the report, five other accused who were named in the FIR were found innocent during investigation.

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 respondents No.2 and 3 are the only aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate, Ist Class, Sirsa 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.

14.12.2021

D.Bansal

(MANJARI NEHRU KAUL)
JUDGE