

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-34240-2021
Decided on : 15.12.2021

Sukhdev Singh & ors.

..... Petitioners

Versus

State of Punjab & others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Harmanpreet Sehgal, Advocate
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Tarun Jhatta, Advocate
for respondents No.2 and 3.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.110 dated 30.05.2020 under Sections 354-A, 341, 324, 323, 148, 149, 506 IPC (Section 326 IPC added later on) registered at Police Station Lambi, District Sri Muktsar Sahib and all the consequential proceedings arising out of the same, on the basis of compromise dated 23.07.2021 arrived at, between the parties.

Learned counsel for the petitioner submits that inadvertently Section 326 IPC could not be mentioned in the FIR in question as same was added later on vide GD No.29 dated 12.06.2020 and prays for adding the same in the head note and prayer clause of the present petition.

In the circumstances, prayer made by learned counsel is accepted and the Registry is directed to make necessary corrections in the head note as well as prayer clause of the petition.

Learned counsel for the petitioners submits that it is a case of version and cross-version wherein both the parties received injuries at the

hands of each other. He further submits that subsequent to the registration of the FIR in question, compromise has been arrived at between the parties.

Vide order dated 23.08.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 23.09.2021 to get their respective statements recorded regarding the compromise arrived at, between them.

Report dated 11.10.2021 has since been received from the JMIC, Malout 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 photocopies of the statement of the parties alongwith its report.

Learned State counsel also submits that there are no other accused other than the petitioners and the private respondents are the only aggrieved persons in the FIR in question.

In view of the report of the learned JMIC, Malout 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(s) is allowed. The aforesaid FIR along with all consequential proceedings arising out of them, are quashed.

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

15.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No

