

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

CRM-24025-2021 in/&
CRM-M-28589-2019 (O&M)
Decided on : 09.08.2021

Jogesh Kumar @ Yogesh Kumar & ors.

..... Petitioners

Versus

State of Punjab & anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Krishan Sehajpal, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Shivender Sharma, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

CRM-24025-2021

This is an application under Section 482 Cr.PC for placing on record Annexure P-5 dated 13.08.2020.

Application is allowed and Annexure P-5 is taken on record subject to all just exceptions.

Main case

The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.106 dated 08.08.2018 under Sections 406 and 498-A IPC registered at Police Station Balachaur City, District SBS Nagar and all the consequential proceedings arising out of the same, on the basis of compromise deed dated 28.06.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 15.01.2020 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 18.01.2020 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 02.03.2020 has since been received from the SDJM, Balachaur (SBS Nagar) 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 statements of the parties in original alongwith its report.

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

In view of the report of the learned SDJM, Balachaur (SBS Nagar) 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

09.08.2021
sonia

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No