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

CRM-M-39039-2021

Date of Decision: 18.11.2021

Sumitpal Singh @ Sumit.....Petitioner

Versus

State of Punjab and another..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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(Through video conferencing)

Present: Mr. Vikasdeep Singh, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Vikas Gupta, Advocate
for respondent No.2.

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MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No.167 dated 03.06.2020 under Sections 354, 452 and 323 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala along with all consequential proceedings arising out of the same, on the basis of compromise dated 08.09.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 21.09.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 25.10.2021 to get their statements recorded regarding the compromise arrived at, between them.

Judicial Magistrate, Sultanpur Lodhi, 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 genuine, voluntary and out of free will and is not the result of any threat, pressure or undue influence etc. in any manner. The complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioner is quashed. The trial Court has annexed the statements of the parties along with its report.

Learned State counsel too 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 Sub Divisional Judicial Magistrate, Sultanpur Lodhi, 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.

18.11.2021
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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No