

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

CRM-M-43314-2021
Decided on : 03.12.2021

Pawan Kumar Sharma

..... Petitioner

Versus

State of Punjab & another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Naresh K. Manchanda, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Rajesh Bhatheja, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.(Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.76 dated 06.04.2018 under Sections 354-A and 354-D IPC registered at Police Station City South, Moga District Moga and all the consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioner submits that FIR in question was got registered on account of some misunderstanding, however, the matter stands amicably resolved between the parties vide compromise dated 06.10.2021.

Vide order dated 13.10.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 10.11.2021 to get their respective statements recorded regarding the compromise arrived at, between them.

Report dated 11.11.2021 has since been received from the JMIC, Moga 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 original statement of the parties alongwith its report.

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

In view of the report of the learned JMIC, Moga 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.

03.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No