

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

242

(Through Video Conferencing)

CRM-M-47467-2019

Date of decision: 26.10.2021

Bhupinder Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Siddharth Gupta, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab
for respondent No.1-State.

Ms. Naina Issar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.0020, dated 02.03.2019, lodged under Sections 354-B, 379-B, 452, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Dayalpura, District Bathinda and the consequential proceedings arising out of the same, on the basis of compromise dated 09.10.2019 (Annexure P-2) arrived at, between the parties.

It is the case of the parties that they are closely related to each other and it was on account of some misunderstanding that the FIR in question came to be registered. However, with the intervention of the respectables, the dispute has been amicably settled between the parties.

Vide order dated 07.11.2019 of Coordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 09.12.2019 to get their statements recorded

regarding the compromise arrived at, between them.

However, as the parties could not record their statements on the date fixed, vide order dated 20.01.2020 the parties were again directed to appear before learned trial Court/Illaq Magistrate on 05.02.2020 to get their statements recorded qua the factum of compromise.

Report has since been received from learned Judicial Magistrate, Ist Class, Phul, 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 has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioners is quashed.

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 petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

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

26.10.2021

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No