

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

224

(Through Video Conferencing)

CRM-M-35431-2021

Date of decision: 04.02.2022

Amarjit Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. N.P.S. Hira, Advocate
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab
for respondent No.1-State.

Mr. Ankit Kharbanda, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No. 206, dated 11.11.2018 (Annexure P-1), under Sections 354, 323, 148, 149 of IPC, registered at Police Station Islamabad, District Amritsar, and all the subsequent proceedings arising therefrom, on the basis of compromise-deed dated 23.08.2021 (Annexure P-2).

Learned counsel for the petitioners submits that on account of trivial misunderstanding between the parties, FIR in question came into the existence. However, subsequent to the registration of FIR, parties have amicably resolved all their disputes and entered into compromise dated 23.08.2021 (Annexure P-2).

Vide order dated 31.08.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 29.09.2021 to get their statements recorded regarding the compromise arrived at, between them. However, as the parties could not appear before the Court concerned on 29.09.2021 for recording of their statements, vide

order dated 28.10.2021, they were again directed to appear before the Court concerned on 18.11.2021 for getting their statements recorded.

Report has since been received from Judicial Magistrate, Ist Class, Amritsar, 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 a 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 alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 and are the only aggrieved person in the FIR in question.

In view of the report of the Judicial Magistrate, Ist Class, Amritsar 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 *Narinder Singh and others Vs. State of Punjab and another, 2014(2) RCR (Criminal) 482*, 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.

04.02.2022
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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