

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

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**CRM-M-32275-2020
Decided on : 23.02.2022**

Makhan Singh and others

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Jasraj Singh, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Puranjeet Singh, Advocate
for respondents No.2 & 3.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 51, dated 30.05.2018, under Sections 323, 452, 34 of IPC (Section 354 of IPC added later on), registered at Police Station Kamboj, District Amritsar (Rural) (annexed as Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of compromise dated 05.07.2019 (annexed as Annexure P-2), arrived at between the parties.

Learned counsel for the petitioners submits that in compliance of the order dated 12th October, 2020, of the coordinate Bench of this Court, the parties had got recorded their respective statements with respect to the factum of compromise arrived at between them.

Report has since been received from the learned CJM, 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 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 along with its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 & 3 are the only aggrieved persons in the FIR in question. Learned State counsel, on further instructions submits that in the interregnum period, the investigating agency had filed the cancellation report before the trial Court concerned.

In view of the report of the learned learned CJM, Amritsar, and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and in *Narinder Singh and others Vs. State of Punjab and another, 2014(2) R.C.R. (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.

(MANJARI NEHRU KAUL)
JUDGE

February 23, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*