

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.216-A

Case No. : Crl. Misc. No.M-47652 of 2021

Date of Decision : January 05, 2022

Santokh Singh and others
vs.

.... Petitioners

State of Punjab and another

.... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

(Through Video Conferencing)

Present : Mr. Lakhwinder Singh Lakhanpal, Advocate
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

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MANJARI NEHRU KAUL, J. (Oral) :

The instant petition is for quashing of FIR No.38 dated 17.05.2021, under Sections 452, 326, 323, 34 IPC, registered at Police Station Dera Baba Nanak, District Gurdaspur (Annexure P-1) and the consequential proceedings arising out of the same, on the basis of compromise dated 25.09.2021 (Annexure P-2) arrived at between the parties.

Learned counsel for the parties submit that it is a case of version and cross-version wherein both the parties received injuries at the hands of each other. However, subsequently, with the intervention of the respectables of the village, the parties amicably settled all their disputes.

Vide order dated 15.11.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at between them.

Report has since been received from learned Judicial Magistrate Ist Class, Batala, 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 respondent no.2 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, on instructions, 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, Batala 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 a 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.

January 05, 2022

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**(MANJARI NEHRU KAUL)
JUDGE**

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No</i>