

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

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(Through Video Conferencing)

CRM-M-52713-2021

Date of decision: 18.02.2022

Amrik Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gagandeep Singh Simble, Advocate
for the petitioners.

Mr. Bhupender Beniwal, Asstt. A.G., Punjab
for respondent No.1-State.

Mr. Tarun Singla, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.12, dated 23.01.2018, lodged under Sections 323, 341, 354, 506, 295 and 34 of the Indian Penal Code, 1860 registered at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur and the consequential proceedings arising out of the same, on the basis of compromise dated 17.11.2021 (Annexure P-2) arrived at, between the parties.

Learned counsel for the petitioners submits that both petitioner No.1 and respondent No.3 are real brothers and it was on account of some family dispute and differences the occurrence in question took place. He further submits that subsequently with the intervention of their relatives, they ironed out their differences and arrived at an amicable settlement.

Learned counsel appearing for respondents No.2 and 3

does not dispute the submissions made by counsel opposite and also does not oppose the prayer for quashing of the FIR on the basis of compromise.

Vide order dated 16.12.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 17.01.2022 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 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 respondents No.2 and 3 are 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 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.

18.02.2022

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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