

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2076-2023 (O&M)
Date of Decision: 15.03.2023

MOHINDERPAL ALIAS PAPA & ANR PETITIONERS
VS
STATE OF PUNJAB & ANR ... RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.S.Sidhu, Advocate
for the petitioners.

Mr. Sanish Girdhar, AAG, Punjab.

Mr. Sudhanshu Sharma, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.238 dated 17.08.2014 (Annexure P-1) under Sections 420, 447, 448, 506 and 34 IPC registered at Police Station Jodhewal, District Ludhiana City along with all consequential proceedings arising therefrom on the basis of compromise dated 12.08.2022 (Annexure P-2) effected between the parties.

Vide order dated 16.01.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 15.02.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate Ist Class, Ludhiana, in pursuance of 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 he 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, Ludhiana 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 v. 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.

(MANJARI NEHRU KAUL)
JUDGE

15.03.2023

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No