

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

249

CRM-M-4190-2022

Date of decision: 14.07.2023

Gurcharan Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Suresh Singla, Advocate
for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab
for respondent No.1-State.

Mr. Shubham Gupta, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.104 dated 10.05.2018 lodged under Sections 324, 323, 506 and 34 of the IPC (Section 326 of the IPC added lateron) registered at Police Station Talwandi Sabo, District Bathinda and all consequential proceedings arising out of the same, on the basis of compromise dated 19.01.2022 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 08.02.2022 of a Coordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 21.02.2022 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Talwandi Sabo, in pursuance of the directions 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.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. 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.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Talwandi Sabo 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 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.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

14.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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