

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6442 of 2023
Date of decision: 17th April, 2023

Bhupinder Singh
... Petitioner

Versus

State of Punjab & another
... Respondents

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rohit Kapoor, Advocate for the petitioner.
Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for respondent No.1/State.
Mr. Kunal Choksi, Advocate for
Mr. SPS Khaira, 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.0044 dated 11.03.2022 under Sections 336, 188, 506 IPC read with Section 27 of the Arms Act, 1959 pertaining to Police Station Fatehgarh Sahib, District Fatehgarh Sahib along with all consequential proceedings arising therefrom on the basis of compromise dated 27.01.2023 (Annexure P-3) effected between the parties.

Vide order dated 07.02.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 14.03.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, 1st Class, Fatehgarh Sahib, 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-petitioner is quashed.

The trial Court has annexed copy of the statements of the parties, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Judicial Magistrate, 1st Class, Fatehgarh Sahib 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

April 17, 2023

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No