

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

264

2023:PHHC:130506

CRM-M-6503-2022

Date of decision: October 9th, 2023

Muhammad Alam and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harjot Goyal, Advocate
for Mr. J.S. Thakur, Advocate
for the petitioners.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

None for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.114 dated 16.08.2021 under Sections 323, 324, 341, 368, 506, 427, 120-B, 188 of the IPC and Section 308 IPC added later on, registered at Police Station Adampur, Jalandhar Rural on the basis of compromise dated 25.11.2021 (Annexure P-2).

Vide order dated 01.08.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 01.09.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate Ist Class, Jalandhar, 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.

The trial Court has annexed the copies of the statements of the parties, along with its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent 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, Jalandhar, 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.

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

October 9th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No